

**CONTRACTING SUPPORT
ON THE BATTLEFIELD**

HEADQUARTERS, DEPARTMENT OF THE ARMY

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CONTRACTING SUPPORT ON THE BATTLEFIELD

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Preface

Today's Army has transitioned from a force that was forward deployed to one that is primarily CONUS-based. This transition, however, has not changed the Army's national defense strategy role of providing land-based forces capable of operating across the entire military spectrum of operations. What has changed is the need to more rapidly generate and deploy forces to an operational area. As a consequence, some support forces will lag behind other, higher priority forces, resulting in a logistical shortfall. To bridge the gap before scheduled resources and CSS units arrive, or when other logistical support options do not provide the supplies and service needed, the Army is turning more frequently to contracting support to provide goods and services required. Contracting support is an integral part of the overall process of obtaining support across the entire spectrum. Contingency contracting provides the commander a flexible and responsive means to support deployed forces and their mission.

FM 100-10-2 addresses the contracting on the battlefield dimension of logistics, and is intended for the non-contracting reader responsible for, or involved with, the planning and obtaining of supplies or services through contracting support. Its purpose is to define battlefield contracting, also referred to as contingency contracting, in terms of its structure, organization, and process at the operational and tactical levels. References to the battlefield in the context of this manual include the theater or area of operations of any operationally-deployed Army force, anywhere in the world. The text recognizes that military operations include stability actions and/or support actions such as nation building and disaster relief, which defy traditional definitions of a battlefield. Principles discussed herein apply to Army missions spanning the operational spectrum. This manual addresses the role of contracting in force projection, and where it fits within the logistical support structure. It describes the operational concept of contracting support on the battlefield, the legal and regulatory parameters that govern its conduct, and the principles that guide its activities. This manual discusses the management of civilian contractor personnel in general terms; FM 100-XX, *Contractors on the Battlefield*, prescribes Army doctrine for this topic and discusses it in detail.

FM 100-10-2 describes the mission, organization, functions, and location of contracting elements in a theater of operations down to division-level. It discusses how they and the contractors they deal with are controlled and managed, who the main participants are in the planning, managing, and providing of contracting support on the battlefield, and briefly describes the relationship which influence contracting in a joint and multinational environment. This manual concentrates on planning for contracting support, to include requirements determination and funding, support to contractors, and the deployment of contracting organizations and contractors. It describes how contracting support is obtained, with emphasis on unit or requesting activity responsibilities, and the processing of contracting support requests. This manual recognizes the vital importance of the relatively small numbers of deployable contracting personnel found in our Active and Reserve Component military forces as well as Department of the Army civilian personnel. It informs commanders and their staffs throughout the Total Army how to use these scarce resources as force multipliers, and covers management of support contractor personnel in generic terms. FM 100-XX, *Contractors on the Battlefield*, addresses this topic in detail.

FM 100-10-2 is designed to assist Army service component commanders, Army force commanders and senior logisticians, theater support command commanders, corps and division commanders, and other Army logisticians and their staffs in identifying requirements and planning to facilitate procurement of goods and services on the battlefield. This manual implements relevant doctrine, incorporates lessons learned from recent operations, and conforms to Army capstone doctrine. It links FMs 100-5, 100-7, 100-8, 100-10, 100-15, 100-16, 100-23, and other tactical and logistics doctrine manuals with other joint and Army capstone manuals.

The proponent for FM 100-10-2 is the Commander, US Army Combined Arms Support Center (CASCOC). Send comments and recommendations on DA Form 2028 directly to Commander, USA CASCOC, CAPSTONE Doctrine Branch, 3901 A Avenue, Suite 220, Fort Lee, VA, 23801-1809.

Unless this publication states otherwise, masculine nouns or pronouns do not refer exclusively to men.

Chapter 1

Contracting Support to the Force

"The DOD components shall rely on the most effective mix of the total force, cost and other factors considered, including active, reserve, civilian, host nation, and contract resources necessary to fulfill assigned peacetime and wartime missions."

DODI 3020.37

SECTION I

OVERVIEW

Contracting support on the battlefield is an integral part of the overall process used to obtain supplies, services and construction in support of operations. Contingency contracting responsively, effectively, and legally secures the supplies, services, and construction necessary to support the mission of a deployed force.

This manual provides a source of information for commanders and staff members to plan for and obtain contracting support when deployed. It describes the organizations and participants who provide contracting support in a theater of operations, the planning necessary for its responsive and effective use, and the procedures to obtain supplies and services through contracting support. This capstone doctrine is applicable to the Total Army across the full spectrum of military operations, regardless of the size of the supported force, the complexity of the mission, or the location where it takes place.

DEFINITIONS

There are several terms pertaining to contracting support that are not commonly used in everyday operational situations. Because of their unfamiliarity, they are described below to facilitate understanding throughout the remainder of this manual.

ACQUISITION

Acquisition is the process by which the Army obtains the materiel and services required to accomplish its mission. It is an integral part of the overall theater logistics plan, and includes requirements generation flow, contract/purchase, inspection, acceptance and user receipt of delivery.

ACQUISITION AND CROSS-SERVICING AGREEMENTS

Acquisition and Cross-Servicing Agreements (ACSA) is a reimbursable, bilateral support program that allows logistics exchanges between United States (US) and foreign military forces. This program allows increased flexibility for the on-scene commander by providing a means to meet logistical shortfalls during emergencies. Some allied nations refer to ACSA agreements as mutual support agreements (MSA). Those nations with which we have ACSA agreements offer commanders another potential source of mission support to consider.

CONTINGENCY

A contingency is an event that requires the deployment of military forces in response to natural disasters, terrorist or subversive activities, collapse of law and order, political instability, or military operations. Contingencies require plans for rapid response and special procedures to ensure the safety and readiness of personnel, installations and equipment. For contracting purposes, contingencies result from the Secretary of Defense (SECDEF) declaring a particular mission or crisis a contingency, or when the President initiates select Reserve personnel call-ups specified in Public Law.

CONTINGENCY CONTRACTING

Contingency contracting is the process by which essential supplies and services needed to sustain deployed forces are obtained on behalf of the US Government. It includes emergency contracting in the continental United States (CONUS) or outside the continental United States (OCONUS) for those actions necessary to support mobilizing and deploying units. This manual addresses contingency contracting, commonly associated with Army contracting personnel procuring goods and services in support of deployed Army forces to supplement organic combat service support (CSS) capabilities.

CONTRACTING

Contracting is purchasing, renting, leasing or otherwise obtaining required goods and services from commercial sources. Contracting functions include preparing descriptions of required supplies and services, selection and soliciting sources, preparing and awarding contracts, and all aspects of contract administration. It does not include making grants or cooperative agreements.

CONTRACTING OFFICER

The contracting officer is an official with the legal authority to enter into, administer and/or terminate contracts. A contracting officer is appointed in writing through a warrant (SF 1402) by a Head of Contracting Activity (HCA) or a Principal Assistant Responsible for Contracting (PARC). Only duly warranted contracting officers, appointed in writing, or their designated representatives are authorized to obligate the US Government. Active and Reserve Component military personnel, as well as Department of the Army (DA) civilian personnel, serve as contracting officers supporting deployed Army forces.

CONTRACTING OFFICER'S REPRESENTATIVE

A contracting officer's representative (COR) is an individual appointed in writing by a contracting officer to act as the eyes and ears of the contracting officer. This individual is not normally a member of the contracting organization, but most often comes from the requesting unit or activity. The contracting officer assigns the COR specific responsibilities, with limitations of authority, in writing. The COR represents the contracting officer only to the extent documented in the written appointment.

HEAD OF CONTRACTING ACTIVITY

The HCA is a general officer, usually the senior commander in the theater, or a deputy designated by that commander, who provides overall guidance throughout the contingency. The HCA serves as the approving authority for contracting as stipulated in regulatory contracting guidance. The HCA appoints the PARC. All Army contracting authority in a theater flows from the HCA to the PARC.

HOST NATION SUPPORT

Host nation support (HNS) results from agreements which are normally negotiated by US Government agencies such as the Departments of Defense (DOD), Transportation or Commerce to provide support to deployed forces from host nation resources. Support under these agreements may include billeting, food, water, fuel, transportation, and utilities. HNS encompasses pre-planned agreements, with support provided by the host nation available at the request of

the ground force commander. Planners must consider, when opting to use HNS, that support provided by this means meets local, not necessarily US, standards. Utilization of HNS might increase requirements in one area while alleviating them in another. For example, HNS provision of potable water often means bulk water from a desalinization or purification facility, increasing the need for bulk water storage, transport and distribution capabilities.

LOGISTICS CIVIL AUGMENTATION PROGRAM

The Logistics Civil Augmentation Program (LOGCAP) is an Army program (managed by the Deputy Chief of Staff, Logistics [DCSLOG]) for preplanned use of a civilian contractor during operations to augment the support capabilities of selected forces. It allows commanders to pre-plan for contracted support and include contingency clauses in existing contracts. LOGCAP includes both contracts planned by the theater commander-in-chief (CINC) and an umbrella contract managed by the US Army Materiel Command (USAMC). USAMC manages its LOGCAP Umbrella Contract under its LOGCAP program office to assist commanders' mission planning; it is this portion of the program with which commanders most often associate the term LOGCAP. While LOGCAP encompasses contracts supporting deployed Army forces, this manual discusses LOGCAP and contingency contracting separately to differentiate between pre-planned contractual instruments and the primarily local procurement of goods and services in the mission area by deployed Army contracting personnel.

MICROPURCHASES

Micropurchases are purchases of supplies and services valued at \$2,500 or less, (\$2,000 for minor construction), performed or authorized by a contracting officer. Micropurchases include procurements made by ordering officers, Government-wide Commercial Purchase Card (GCPC) holders, and imprest fund custodians in support of assigned missions.

ORDERING OFFICER

The ordering officer is an individual appointed by the chief of the contracting office to purchase goods or services paid by a specific, limited fund. Neither property book officers or paying agents may be ordering officers.

PRINCIPAL ASSISTANT RESPONSIBLE FOR CONTRACTING

The PARC, a special staff officer, is the Army Service Component Commander's (ASCC) or mission commander's senior Army acquisition advisor responsible for planning and managing all Army contracting functions within the theater. All Army contracting authority in a theater flows from the HCA to the Army's PARC. All Army contracting personnel within the theater, except those assigned to the US Army Corps of Engineers (USACE) and the USAMC, operate

under the procurement authority of the PARC. USACE and USAMC contracting personnel retain procurement authority from those commands, but operate under the functional control of the theater PARC while in theater, subject to that officer's contracting support plan. The PARC's functional control of contracting requires all contracting personnel from any Army agency or supporting command to coordinate their activities with the PARC, usually through the acquisition review board (ARB), and to follow the PARC's contracting support plan when procuring any goods or services within the theater. In a joint environment, the PARC may be the designated executive agency for theater contracting, with responsibility to coordinate all DOD contracting activities.

SIMPLIFIED ACQUISITION PROCEDURES

Simplified acquisition procedures are contractual actions, such as purchase orders up to \$100K in peacetime and during exercises. This authority increases to \$200K for contracts awarded and performed OCONUS during a contingency operation declared by the SECDEF, when authorized by law during select Presidential Reserve call-ups, and during humanitarian or peacekeeping operations, and imprest fund purchases.

SECTION II

THEATER STRUCTURES

NATIONAL MILITARY STRATEGY

The National Military Strategy provides advice from the Chairman of the Joint Chiefs of Staff (CJCS) to the National Command Authorities (NCA) on the strategic direction of the Armed Forces. Currently, it endorses the fundamental objectives of promoting stability through regional cooperation and constructive interaction, and thwarting aggression through credible deterrence and robust warfighting capabilities. The overlapping and interrelated strategic concepts that allow the military to execute national military strategy are strategic agility, decisive force, overseas presence and force projection. Force projection has become the primary concept for employing military forces.

Force projection is the ability to rapidly alert, mobilize and deploy forces and to conduct joint, multinational and interagency operations worldwide from CONUS or forward-deployed locations. If necessary it means forced entry into a denied theater or creating and protecting forward operating bases. The ability to assemble and move to, through, and between a variety of environments, often while reconfiguring to meet specific mission requirements, is essential to offsetting an adversary's advantage in mass or geographical proximity. Global force projection provides our national leaders with the options they need to respond to potential crises.

CHAIN OF COMMAND

Contracting support on the battlefield is a command responsibility. The chain of command at every level is involved in planning and providing contracting support. Starting with the NCA, which control the armed forces, the chain of command follows two distinct branches. The first branch runs from the President to the SECDEF to the combatant commanders for missions and forces assigned to their commands. The second branch runs from the NCA to the secretaries of the military departments, to the chiefs of the Services for execution of Service functions. Command and control (C2) of contracting support, which is addressed in detail in Chapter 2, follows these two branches. In the contracting arena, planning for and utilizing contracting as a support option follows the first (joint) branch, while the specific authority to accomplish the contracting function follows the second (Service) branch.

The commander of each combatant command (COCOM), more commonly known as the CINC, is responsible to the NCA for the command's preparedness and for executing and accomplishing missions. The secretaries of the military departments are responsible for organizing, training, equipping, and providing forces.

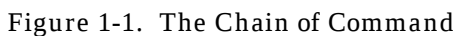
The CJCS communicates the directions of the NCA within the chain of command. Though he does not exercise military command over any combatant force, all communications between the NCA and the combatant commanders pass through the CJCS. Figure 1-1 displays the chain of command.

NATIONAL COMMAND AUTHORITIES

The President and SECDEF comprise the NCA. They alone have the constitutional authority to direct US armed forces into military action.

MILITARY DEPARTMENTS

The military departments operate under the authority, direction, and control of the SECDEF. Through the Service chiefs, the secretaries of the military departments direct and control their forces that are not assigned to combatant commanders, and provide administrative (personnel and finance), legal, and logistical support to their own Service forces. Contracting authority originates at the military department level. In the Army, this authority resides in the Assistant Secretary of the Army for Acquisition, Logistics and Technology (ASA[ALT]), who has authority to appoint a command or theater contracting executive or HCA.



THEATER STRUCTURE

A theater is a geographical area OCONUS for which a commander of a unified command is assigned military responsibility. The required level of international military cooperation or the degree of US military resources may influence how the Army conducts operations in each theater.

THEATER OF WAR

When the NCA authorizes combat operations, the CINC, with NCA and Joint Chiefs of Staff (JCS) approval, delineates a strategic theater of war that may encompass part or all of the original theater (Figure 1-2).

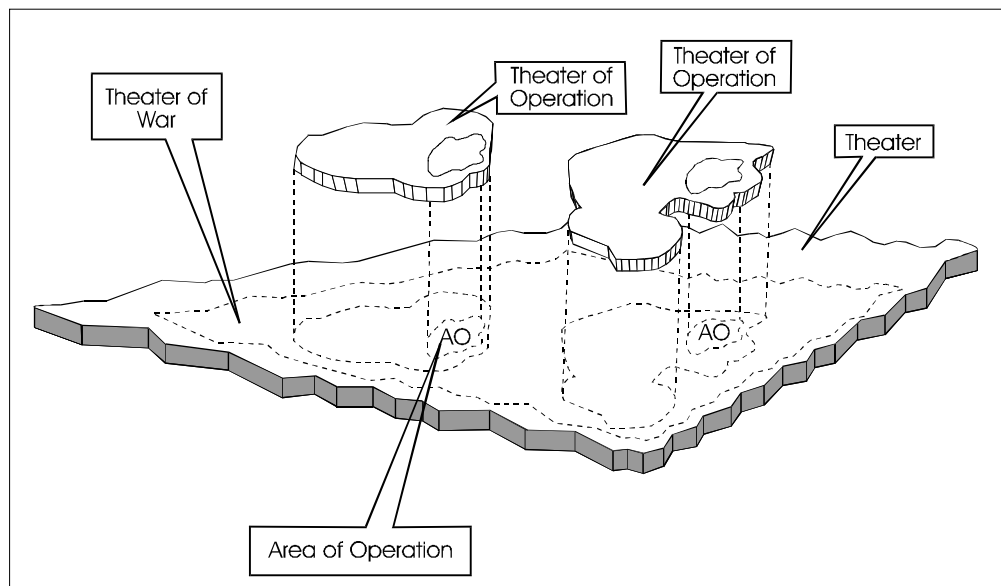


Figure 1-2. Theater Organization During War

THEATER OF OPERATIONS

If the CINC determines that he should sub-divide his theater of war to contend with more than one major threat, he may designate subordinate theaters or areas of operations (AOs) for each major threat. The theaters of operation refer to those portions of an area of war necessary for military operations and for the administration of such operations for extended periods. An AO is that geographical area for which a specific unit commander is responsible.

COMMUNICATIONS ZONE

The communications zone (COMMZ) extends from the rear of the combat zone (CZ) in the theater of operations to the CONUS base. Its size may vary depending on the size of the theater of operations, size of forces required for operations and sustainment, depth required, lines of communication (LOCs), enemy capability to interdict and disrupt sustainment operations, geography, and political boundaries. The COMMZ contains the LOCs. Within the theater logistics base, in the COMMZ, LOCs provide supply, maintenance, field services, transportation, combat health support (CHS), personnel support and evacuation and other services required for immediate support and sustainment of the field force. It will typically contain logistics facilities required to support the theater such as aerial ports and sea ports of debarkation (APODs/SPODs), marshaling areas, storage areas, movement control points, and logistics headquarters and units. Airfields and air bases, transitioning land forces, theater missile defense forces, the theater rear headquarters, and strategic reserves are present in the COMMZ. It is in the COMMZ that the majority of contracting support elements will be found.

COMBAT ZONE

The CZ is an area required by combat forces to conduct operations; it normally begins at the forward boundary designated by the commander and extends to the COMMZ boundary. It may be subdivided into forward and rear CZs. A CZ may contain one or more corps, which in turn may contain divisions in a number necessary to accomplish the mission. When considering the use of contract support, the CZ is an area that presents special problems because of the risks to non-combatants who furnish the supplies or services requested.

THE ARMY IN-THEATER

The ASCC task-organizes Army forces in the theater to maximize their capabilities. The Army's theater organization provides the means for executing the designs of operational war while facilitating joint operations.

THE ARMY SERVICE COMPONENT COMMANDER

The ASCC prepares, trains, equips, administers, and provides CSS to Army forces assigned to unified and specified commands, and supports the theater CINC by conducting Army operations to support his objectives. The ASCC commands and controls US Army forces in the theater, and is responsible to the unified commander for accomplishing peacetime missions and functions and for planning and preparing for war. When designated, the ASCC serves as the theater contracting executive or HCA and provides contracting support within the theater. PARCs and PARC staffs are part of the ASCC structure. The PARC plans Army contracting operations in-theater, including it as a contracting appendix to the logistics annex within the operations plan (OPLAN) or

operations order (OPORD). OPLANs or OPORDs, for Joint operations, may delegate executive agency for all joint theater contracting to the ASCC.

ARMY SUPPORT STRUCTURE

Operations in Bosnia, Haiti, Somalia, and elsewhere clearly demonstrated the requirement for logistical infrastructure in places where none previously existed. Building the support structure occurs after considering mission, enemy, terrain, troops, time available, and civilian considerations (METT-TC); strategic lift; pre-positioned assets; HNS and other applicable agreements; contracting support; and other factors of the logistics preparation of the theater (LPT) process. Regardless of the scope of the mission, deployed forces require support while their logistics infrastructure deploys and establishes operations. Contingency contracting helps fill this void by acquiring goods and services available from the local economy.

The ASCC assembles and tailors force modules to support a force performing its operational mission. The initial support structure can provide only minimum essential support functions and capabilities. To do this, contracting force structures at theater and operational levels include an early entry module (EEM) to establish contracting operations with or before the insertion of ground forces. As the deployed force grows, the support structure expands to add necessary capabilities. Contingency contracting, HNS, and LOGCAP often provide needed support to deployed commanders as their logistics infrastructure deploys and establishes operations.

For limited operations, echelons above corps (EAC) support organizations are commanded either directly by the ASCC through the deputy commanding general for support, or through the EEM of the Theater Support Command (TSC). In larger, more mature operations, the complete TSC headquarters may deploy. The TSC is the senior Army logistics headquarters in-theater, and becomes the single point of contact (POC) for most CSS, including contracting support.

Theater contracting hierarchies mirror those for logistics command and control. For limited operations, the ASCC controls contracting operations through the PARC, located on the Army Service Component Command staff, or through the EEM of the TSC, which includes the Chief of the TSC's Contracting Directorate, who serves as the Theater Contracting Officer. For larger, more mature operations, the complete PARC section from the Army Service Component Command and the entire Theater Contracting Section from the TSC may deploy. The ASCC provides Army contracting planning, policy, oversight and management throughout the theater, while the TSC establishes the theater contracting office. The ASCC may establish initial theater contracting operations using the EEM from either the Army Service Component Command or the TSC, or both, as specified in the Army's theater contracting support plan drafted by the PARC.

The corps and echelons below corps are normally fully engaged with their tactical missions. If they are given operational-level support requirements, they must be augmented by operational-level CSS organizations to provide logistical capability to the force. The use of contracting support to provide the supplies and services needed is one method of augmentation. Contracting at corps and below parallels that at theater. Implementing the Army's theater contracting plan, the chief of the corps contracting center, located in the Corps Support Command (COSCOM), plans and manages all contingency contracting operations throughout the Corps area of responsibility in accordance with METT-TC. That officer publishes the corps contracting support plan, orchestrating the locations and functions of military contracting personnel located within the COSCOM and its subordinate units, and within divisions operating under corps control.

When designated Executive Agent for joint contracting, the ASCC and PARC expand planning and execution to integrate contracting personnel from other Services to support all US forces in theater, regardless of their Service component. This manual interprets executive agency as the authority of the Joint Force Commander (JFC), delegated to a lead Service, to plan and direct the efforts of all DOD contingency contracting within the mission area controlled by that JFC.

SECTION III

LOGISTICAL SUPPORT

THE LEVELS OF SUPPORT

When tailoring a support force for a particular plan or crisis response, logisticians must consider that regardless of the size of the support force, support will move through the logistics system to produce the sustainment needed. The three levels of logistical support--strategic, operational, and tactical--correlate to the three levels of war. These three levels must blend together to create a seamless system of support. The continuation of a seamless system makes the demarcation line between the levels less visible as organizations and functions interweave within each one. Figure 1-3 depicts this system. Contracting plays a part in each level of logistical support.

STRATEGIC LOGISTICS

Strategic logistics provides the linkage between the nation's economic base and its military forces. The strategic level is primarily the purview of the DOD, the Services, and non-DOD government agencies with the support of the private sector in our economy. The strategic logistician's focus is on requirements determination, personnel and materiel acquisition, supply support and maintenance, stockpiling, and strategic mobility to support the Army's objectives

of mobilization, deployment, redeployment, and demobilization. Contracting at this level includes USAMC's procurement of weapons systems and spares.

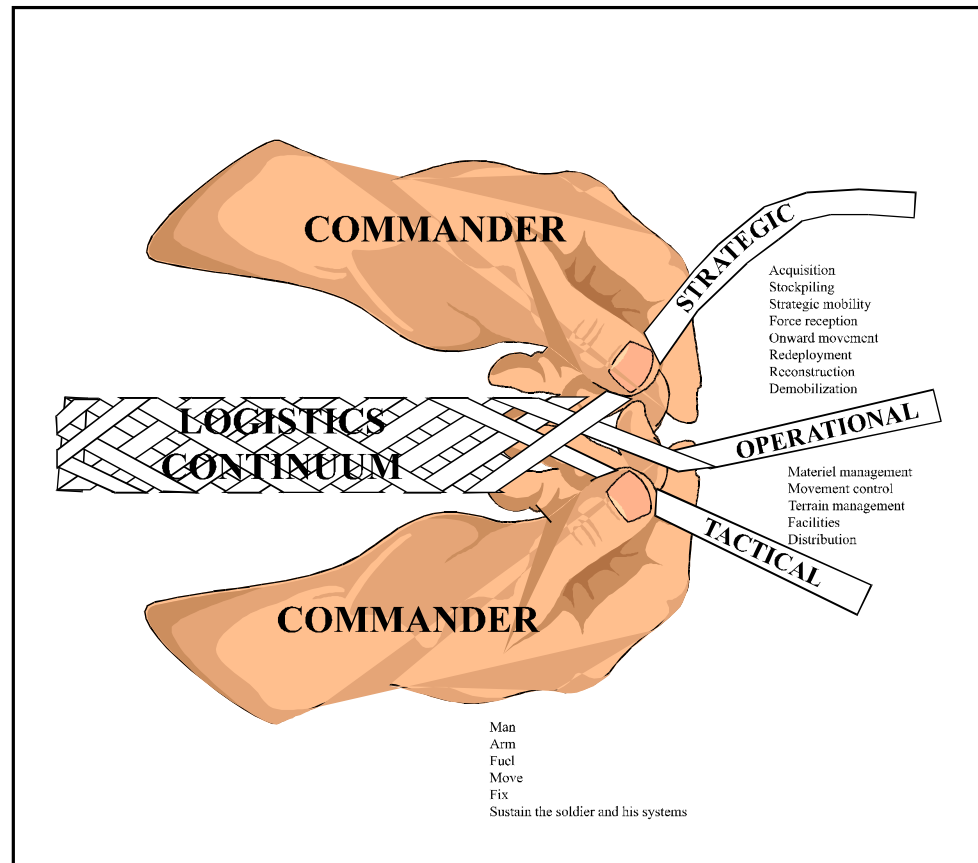


Figure 1-3. Melding of Strategic, Operational, and Tactical Logistics

OPERATIONAL LOGISTICS

Operational logistics is the linkage between the strategic and the tactical level. It encompasses support required to sustain joint/multinational campaigns and other military activities within an area of operations. DOD civilians, contractor personnel and equipment, and available host nation resources augment military units making up the organizational structure at this level. The primary focus of the operational logistician is on reception, positioning of facilities, materiel management, supply support and maintenance, movements management, and distribution. Contracting personnel might procure commercial support for APOD/SPOD operations, as an example of operational logistics support.

TACTICAL LOGISTICS

Tactical logistics is the synchronization of all CSS activities required to sustain soldiers and their weapon systems. Military units organic to the deployed tactical force make up the bulk of the logistics organization at this level. However, the organization may include some support from DOD civilians and contractors. The

focus of the tactical logistician is on the CSS functions of arming, fueling, fixing, moving, and sustaining the soldier and his equipment. At the tactical level, contracting personnel often procure bottled water, field sanitation or office equipment to supplement the military supply system in supporting deployed Army forces.

CONTRACTING AND FORCE PROJECTION

The Army's primary mission is to deter war and, if deterrence fails, to fight and win. Contracting plays a key role in the Army's ability to support this mission, and provides a responsive alternative to increasing the number of support forces necessary to perform the mission. During every phase of an operation, contracting support can be used to augment the support structure. Contracting personnel should arrive with or before the lead ground elements to establish contracting operations, and depart with or after the last ground elements to close out those operations. Contracting personnel establish their operations with or near the local vendor base to support deployed forces.

MOBILIZATION

Contingency contracting personnel support mission planning and conduct contracting preparation of the theater. They identify potential unit support requirements, locate existing US contracting offices in or near the mission area from which they might derive support, and determine the location of the local vendor base, plus the availability and suitability of commercial goods and services for the commander. The PARC, and the senior contracting officer at each level of command, prepares a contracting support plan for each mission OPORD or OPLAN. Commanders include this plan as an appendix to their logistics annex in each plan. If possible, contracting personnel take part in site surveys, and establish contact, where possible, with US Embassy or existing DOD contracting personnel in or near the mission area.

PRE-DEPLOYMENT ACTIVITIES

Contingency contracting personnel maintain a rapid-deployment capability, with contracting support kits containing office supplies and equipment, automated data processing equipment (ADPE), regulations and a block of contract numbers required to establish a deployed contracting office. During this phase, contracting sections coordinate with their resource management office to obtain

bulk funding and/or a resource management officer (RMO); finance to identify personnel and monetary requirements; legal for a contract lawyer to deploy; and the property book officer (PBO). Deploying units identify their ordering officers and paying agents so they may receive training by their installation Directorate of Contracting (DOC) (theater PARCs specify in their contracting support plan whether DOCs or the PARC appoints these personnel). The PARC's contracting support plan prescribes the framework for all Army contracting within the

theater, with instructions addressing warrants, contract reporting, and identification of commodities or services reserved for theater control for procurement.

DEPLOYMENT

Contingency contracting personnel, with RMO, finance, legal and PBO personnel, deploy as part of the force's EEM. Commanders should ensure their contingency contracting personnel, with all required support, remain a high priority on their time-phased force and deployment data (TPFDD). Contingency contracting personnel establish their deployed contracting office as their first priority to best support arriving forces. They locate with, or as near as possible to, the local vendor base in accordance with theater/mission contracting support plan.

ENTRY OPERATIONS

Contingency contracting personnel, teamed with RMO, Finance and legal personnel, work with HNS and/or LOGCAP to fill CSS voids during entry operations caused by CSS units physically moving to the mission area. Contracting personnel allow commanders to leverage support from the local economy, saving valuable aircraft and ship space for higher priority cargo. Typical contracted support during this phase includes items essential for force protection and early sustainment, such as bottled water, lumber, transportation and line-haul, potable ice, commercial feeding or ration supplements, laundry and shower services, fuel, trash removal, and portable latrines.

DECISIVE OPERATIONS

Contracting operations mature as the theater matures. Reliance on immediate, cash-and-carry buys decreases as the commander's CSS capabilities arrive and establish operations in theater. Contracting typically provides line-haul transportation, services and large supply procurements supporting materiel management center (MMC) commodity managers. Contracting supports the commanders' reception, staging, onward movement, and integration (RSO&I) mission by providing, as needed, construction materiel, leased equipment, office equipment/furniture, and quality of life/morale, welfare and recreation (MWR) items such as gym and sport equipment, televisions and VCRs.

POST CONFLICT OPERATIONS

Our reduced force structure mandates that US forces redeploy as quickly as possible to prepare for future missions. Similar to Entry Operations, contingency contracting personnel provide goods and services to free CSS units for redeployment. For example, providing commercial feeding allows Army food service personnel to reduce or cease operations. Commercial line-haul and personnel transport allows military truck companies to prepare for their next mission.

REDEPLOYMENT

Contingency contracting personnel deploy with the first personnel, and redeploy as some of the last. When Army forces deploy, they require support immediately upon arrival in their area of operations, often while their organic CSS support is still enroute. While ground force units depart, contracting personnel provide goods and services to sustain and assist them. This support encompasses housing, feeding, stevedoring at the ports, washracks and steam cleaners to prepare vehicles for redeployment, and transportation of personnel and equipment. Contracting personnel remain in the mission area until they close out all contracts and all vendors receive final payment.

DEMOBILIZATION

Contracting personnel submit required contracting reports, close and store all contract files, and prepare equipment and deployment kits for their next mission.

CONTINGENCY CONTRACTING

In the past, US forces deployed worldwide to perform tasks in support of national objectives. These contingencies involved the participation of military and other public, joint, or allied elements to assist in emergency situations caused by war, natural disaster, terrorist or subversive activities, collapse of law and order, or political instability. In addition to rescue and humanitarian relief missions, military contingencies include demonstrations of force, raids, and larger operations undertaken to protect US interests, lives, and property. Contingencies require planning, rapid response, flexible procedures, and integration of efforts.

The types of contingencies involved and the maturity of the operational environment influence the extent to which contracting support is utilized. The various types of contingencies are--

- Major theater war (MTW) is where hostilities are ongoing, imminent or likely and where there is a substantial commitment of military forces, such as during Operation DESERT STORM. During these operations,

contracting usually supplements or is part of robust combat support (CS) and CSS infrastructures.

- Small-scale contingencies (SSC) involve fewer forces, and usually a more restricted time schedule, as with Operation JUST CAUSE (Panama). Contracting often supplements CS and CSS capabilities limited by location, strategic lift or manpower ceilings.
- Stability and/or support operations encompass a wide range of activities where military power is used for purposes other than large-scale combat operations. Arms control, combating terrorism, counterdrug operations, civil support operations, and domestic disaster/emergency relief are some examples of these operations, during which available CS and CSS infrastructures are usually limited or nonexistent. During these operations, deployed forces increasingly rely on commercial or host nation support.

The maturity of an operational environment also determines the extent of contracting support. In a mature environment a well-developed infrastructure exists from which the potential support can be obtained. A mature theater features a sophisticated distribution system that can rapidly respond to changing requirements and priorities, and sufficient vendors from which to obtain needed support. In a mature environment, vendors normally have previous experience in contracting with the US government. Western Europe, Korea, Saudi Arabia, and Kuwait are examples of mature environments. An immature environment is an area with little or no built-up infrastructure, and few vendors, and of those that are available, few that have had experience contracting with the US. Somalia, Haiti, and Rwanda are recent examples of such environments. Recent operations placed contingency contracting officers in former communist nations such as Bosnia, Croatia, Hungary, and Macedonia, where the vendor base had little capitalistic business experience. These vendors often operate on a "cash and carry" basis.

OPERATIONAL PRINCIPLES

Contracting is an integral part of supporting Army forces. It is a tool that units and the acquisition community use to obtain goods or services in support of their missions. Contracting support bridges gaps that occur as military logistics resources are being mobilized and may be necessary for the duration of the contingency. Contracting is valuable where no HNS agreements exist, or where HNS agreements do not provide for all the supplies or services required. If contractor support is required, the commander determines, based on G5 and US Embassy recommendations, if such support complies with HNS agreements before a commitment is made. Satisfying requirements by contracting for locally available resources improves response time and frees airlift and sealift assets for other priority needs. Contingency contracting support, along with LOGCAP and HNS, complements but doesn't replace existing military support systems, where these systems are available and operational.

Commanders centrally manage contracting in an operational area to achieve unity of effort and to prevent individual elements from competing for the same resources. A joint contracting office, staffed with contracting personnel from all Services operating in the theater, should be established for joint operations, with one Service designated to plan and lead the theaters contracting and finance functions. The highest level organization deployed below theater level can also establish a joint contracting office. If separate Services maintain parallel contracting organizations, joint supervision of cooperation and coordination among the Service elements helps preclude interservice competition for local supplies and services, to obtain more advantageous prices through consolidation of requirements, and more effectively utilize scarce personnel resources. The CINC assigns executive agency for all theater contracting to one Service in the OPLAN or OPORD.

Although management of a theater's contracting efforts is centralized, execution is decentralized. Contracting elements locate and operate in accordance with the theater's contracting support plan, located in the contracting appendix to the logistics annex to the OPLAN or OPORD. They function under the control of the executive agent for contracting for timely and effective response to the units and activities that they support, and for rapid access to the contractors that provide the supplies and services needed.

ECHELONS OF CONTRACTING SUPPORT

There are organizations across the military spectrum that exist to satisfy the contracting needs of military forces. They range from those which provide policy and program guidance and management at the highest level, to operational elements that work to obtain the supplies and services needed to support specific contingency situations. Figure 1-4 displays these echelons of contracting support, and identifies the organizations that exist at the various levels.

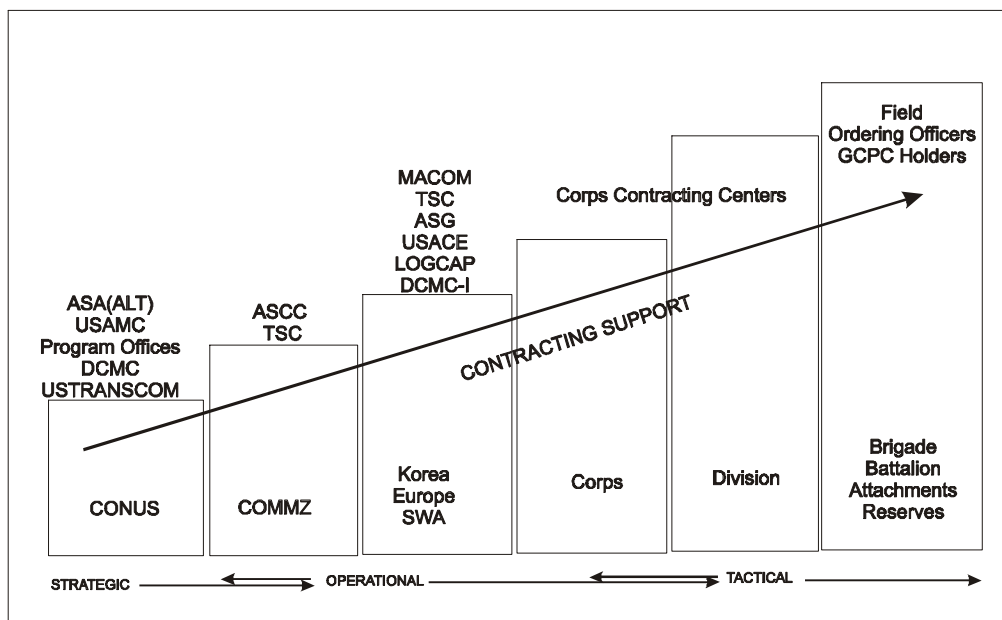


Figure 1-4. Echelons of Contracting Support

ACQUISITION PROCESS

Contracting officers need validated requirements with certified funds to award a contract for commercial support of deployed Army forces. Each contracting action originates with a requirement, prepared by the unit or organization that needs support, for some particular supply or service, or minor construction. Once identified, the requirement may be satisfied by a variety of sources, with contracting being only one. The G4/S4 or support manager determines for the commander whether military logistics personnel can meet unit needs. Other staff sections do likewise for services under their supervision; for example, the staff engineer determines if available engineer assets can meet mission requirements for construction. The commander designates an official or ARB, to decide whether goods and services unavailable from organic sources can and should be provided by HNS, LOGCAP's umbrella contract, or by contingency contracting from the local economy (Figure 1-5).

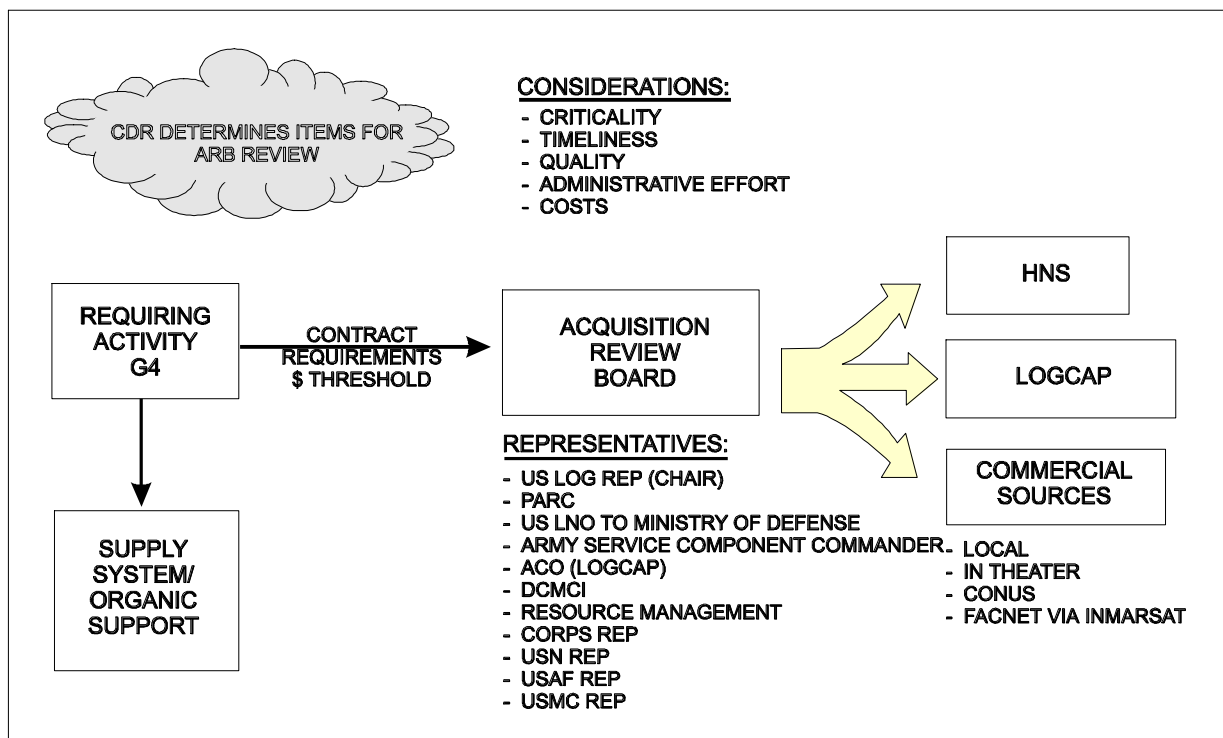


Figure 1-5. Acquisition Review Board Process

The requirement's identification initiates a sequential, progressive cycle that begins with acquisition planning and ends with contract administration and closeout after the delivery of the supply or service.

While the acquisition process includes all of the actions that must be taken to obtain required goods or services, there is no single set of actions for each step in the process. Variables such as type of goods and services required; the size, type, complexity, and urgency of the requirement; and the applicable laws and regulations all influence the actions taken.

The term acquisition covers the entire cycle from need identification and funding through contract administration. The term contracting covers the portion of the acquisition cycle starting with a purchase request (as a culmination of the planning step) through contract close out.

Acquisition planning starts the acquisition process. Contingency contracting planning is a normal part of operational planning, the point at which certain commodities are identified as being the most likely candidates for contracting. Commanders must involve contracting personnel in mission planning as early as possible to ensure they receive effective support. When it has been determined that a requirement cannot be satisfied by the supply system or organic support, it is submitted through support channels for review and approval. Such requirements may be satisfied through HNS, LOGCAP, or contingency contracting support. The decision as to which source to use is made either by the ARB, or as predetermined through the acquisition planning process. If the

requirement is to be satisfied through contracting, the request is sent through the Resource Management Officer to be funded, then to the contracting element for processing. The acquisition process is complete when the desired supply or service is satisfactorily delivered and the contract has been closed out. To streamline this process, the G4/S4 may designate certain commodities as pre-approved for local purchase in the logistics annex to the OPLAN or OPORD. The PARC specifies the dollar threshold of actions requiring ARB review in the contracting appendix.

LEGAL AUTHORITIES, LIMITATIONS, AND POLICY

The authority to contract for supplies and services originates with the Secretary of the Army, as illustrated in Figure 1-6, and is different from the authority to command. Contracting authority, while separate and distinct from command authority, supports the goals and objectives of the chain of command while avoiding conflicts of interest.

Statutory requirements, executive orders, and regulations strictly govern contracting operations. When considering the use of contracting support, commanders and staff planners must be aware of the framework within which contracting elements are permitted to operate. Planners must work closely with operational and contract lawyers at their supporting Staff Judge Advocate's office, and their contracting officers, to ensure their expectations of contingency contracting are executable, supportable, and within the limits of contract and fiscal law and policy.

ASSUMPTIONS

Several assumptions govern the use of contingency contract support.

- The environment for contracting is worldwide. Principles of contingency contracting are applicable to all contingency missions with consideration for short-term as well as long-term notification of mobilization.
- Because of the urgent/high priority nature of most supplies and services requested, reduced lead times and expedited delivery requirements can be expected.

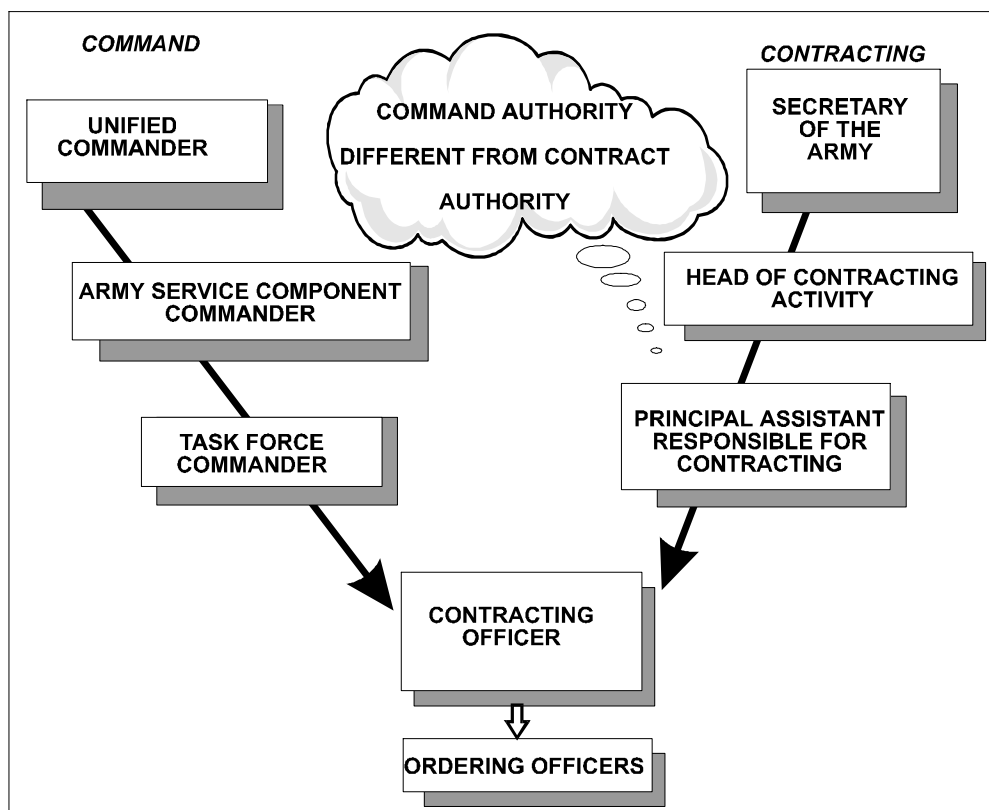


Figure 1-6. Lines of Authority

- Deployed contracting personnel will have authority to conduct business with foreign governments, commercial firms, and other forces in the theater where assigned or deployed.
- Only the PARC or the designated mission chief of contracting can delegate limited authority and responsibilities for purchasing to an ordering officer.
- Contingency operations above battalion size will be joint, multinational operations under the command and control of a CINC or joint force headquarters.
- The senior Army commander in the theater will activate an ARB to coordinate service acquisition activities and to integrate the acquisition flow with the overall theater support operation.
- In a joint or combined operation, the CINC establishes unified command and support structures and systems. One mechanism the CINC employs is the CINC's logistics procurement support board (CLPSB), similar to the ARB used by the Army, to provide overarching procurement policy and guidance, plus deconflict and coordinate Service/functional component requirements.

- Existing US DOD contracting offices and contracts in the area of operations will be utilized wherever possible.
- The senior contracting officer at each level of command will plan and manage contracting functions within that unit's area of operations.
- Most requirements received during the initial stages of a contingency will be cash transactions valued under the simplified acquisition threshold.
- Commanders will make provision for contract law advice for their contracting personnel. Most PARCs require legal review of all acquisitions valued over the simplified acquisition threshold (SAT). Legal review of procurements under the SAT should be conducted to the maximum extent possible in coordination with the supporting Staff Judge Advocate's office.

Limitations

Several factors limit the commander's use of contracting support.

- HNS, contingency contracting, and LOGCAP supplement, not replace, the existing logistics systems.
- The lack of any US international agreements such as HNS, inter-service, status of forces, and other authoritative agreements in the theater of operations or specific provisions in applicable agreements may limit the contracting officer's ability to satisfy some requirements.
- Commanders must deploy contract law attorneys early to conduct legal review of procurements.
- United States public laws and Federal Acquisition Regulation (FAR), Defense FAR Supplement (DFARS) and Army FAR Supplement (AFARS) are not revoked or suspended by contingencies unless specifically exempted. Acquisition personnel must therefore comply with federal law and applicable regulations in contingency contracting.
- Contracting, finance and resource management remain Service responsibilities.

Chapter 2

Battlefield Contracting Structure

"The work of an organization is never done, and the structure has to be continually adapted to new and anticipated conditions."

Ralph J. Cordiner

SECTION I

MISSION, ORGANIZATION, FUNCTIONS, AND LOCATION

OVERVIEW

The number and type of contingency contracting organizations can vary in a theater, depending upon the type of operation being conducted and the mix of forces involved. When establishing a theater contracting structure, the CINC is the key in determining how contracting support is handled. In a joint environment, the CINC designates one lead Service as Executive Agent to plan and head both contracting and finance functions for the theater. The Army may or may not be the lead service in managing and controlling contracting support; it may have a supporting role where its contracting resources are subordinate to another service or a joint activity that controls contracting for the theater. Regardless of how contracting support is managed in a theater, there is a structure in place at the various levels to execute the contracting functions necessary to support a force. Figure 2-1 describes this structure. These principles apply to missions across the operational spectrum, to all sizes and types of Army forces, and to locations worldwide.

COMBAT SERVICE SUPPORT RESPONSIBILITIES

The ASCC commands and controls all Army forces in the assigned geographic area. The CINC may direct the ASCC to provide common items to other Services within the AO. In addition to meeting its own requirements, the Army is usually designated as executive agent for supporting other Services with inland surface transportation, construction support, rations, fuel distribution, medical supplies, veterinary services, water, barrier materiel, mortuary affairs, and common munitions.

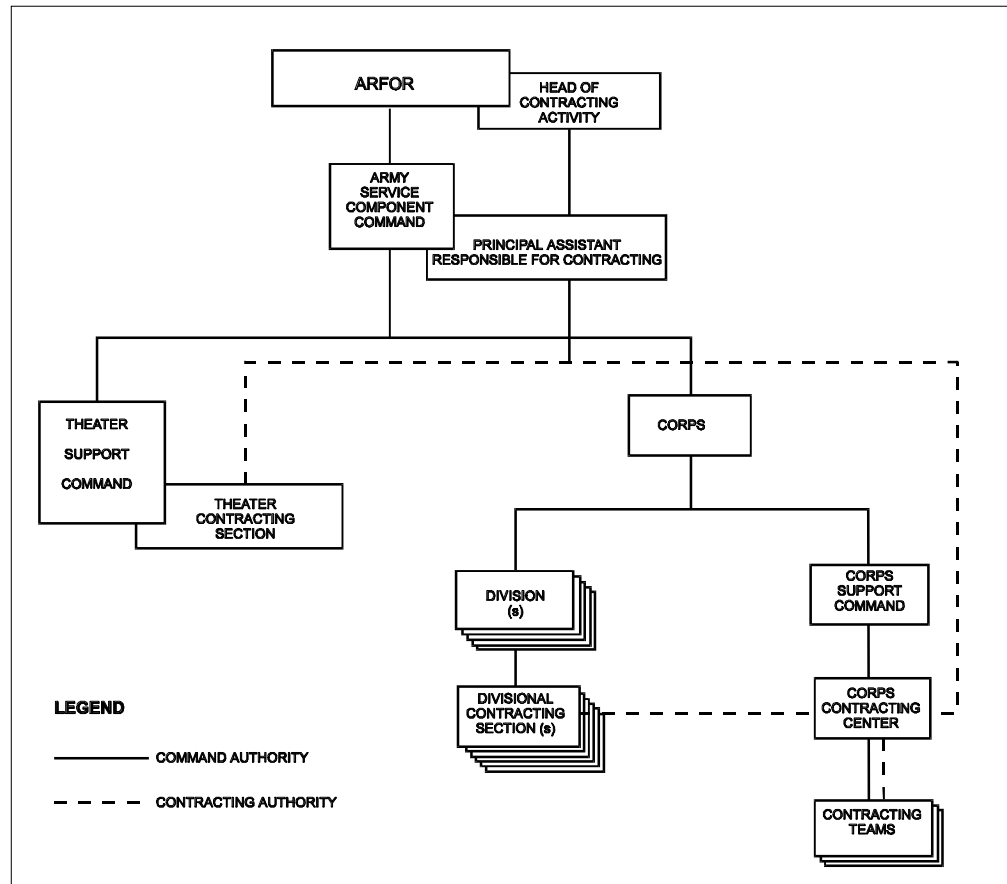


Figure 2-1. Army Theater Contracting Structure

While CSS is a Service responsibility, a combatant/joint task force (JTF) commander may designate a Service, usually the most capable Service, to provide common item/service support for an entire theater (see Joint Pub 4.07). The Army component of a joint force is normally required to provide CSS to other Service components and it may be tasked to provide specific support to allied commands or to the HN. The ASCC arranges and coordinates--

- The expansion and operation of the wartime LOC.
- The reception, equipping, preparation, and transportation of Army forces.
- Development, acquisition, operation, and maintenance of operational and support facilities.

ROLE IN CONTRACTING

The ASCC plays a key role in contingency contracting, and in most circumstances is the senior contracting authority for the Army for the theater. Through appointment by the ASA(ALT), the ASCC (or his deputy) is designated the Army's HCA for the theater. In this capacity he manages and conducts acquisition to accomplish the mission; acquires supplies, equipment, and services by contract; provides overall guidance concerning contracting; and acts as the approving authority for contracting actions in the theater. As the HCA, he appoints a contracting professional called the PARC, who assumes all responsibilities delegated by the HCA, and who oversees the operational activities of the theater contracting organization. The Army's PARC and PARC staff are organic to the Army Service Component Command. When the ASCC is designated Executive Agent for contracting, contracting personnel from all Services operate under the contracting support plan authored by the PARC.

ECHELONS ABOVE CORPS

The theater support base is located at EAC/COMMZ (see Figure 2-2). This is the level where operational logistics take place and where interfaces with the strategic and tactical levels are made. Logistical support at the operational level is managed and coordinated through the senior logistics element, normally the TSC. The TSC contains a contracting directorate in its table of organization and equipment (TOE), which performs the functions of the theater contracting section when required by the PARC's contracting support plan. The chief of this directorate, normally the senior Army contracting officer in the theater, serves as theater contracting chief under the procurement authority of the PARC. Using the contracting support plan, the PARC organizes available Army contracting personnel operating within theater in accordance with METT-TC to support the ASCC's concept of operations and concept of support.

THEATER FORCE OPENING PACKAGE/EARLY ENTRY MODULE

Deployment of US forces requires an in-theater logistics infrastructure that can execute RSO&I operations and sustain the forces. To satisfy this need, the Army developed the theater force opening package (TFOP). The TFOP is modular in nature and allows for sending to a theater only those capabilities needed for a particular mission, typically including transportation, supply, contracting, legal, finance, property book, resource management, engineer, and medical modules. The doctrinal mission of the TFOP is to deploy early to support force projection by establishing physical, resource, communications, and automation networks necessary for effective and efficient operation of the theater logistics system. Both the Army Service Component Command and the TSC structures include EEM, augmented as required to comprise a TFOP.

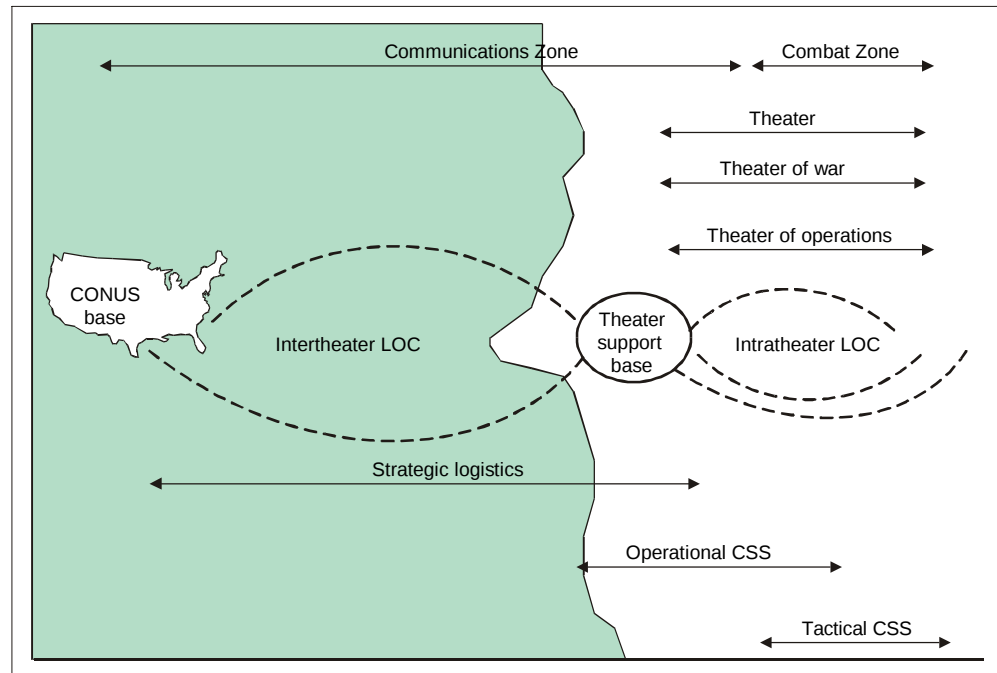


Figure 2-2. The National Theater Logistics System

Mission

The mission of the contracting EEM, sometimes referred to as a forward area support team (FAST), is to place adequate resources in the operational area as early in a deployment as possible to establish an operating contracting activity. This contracting activity must be able to provide support when the first troops arrive, and to contract for the supplies and services needed when the main force arrives. Commanders must ensure that contracting, with finance, RMO, legal and PBO personnel deploy among the first elements into the mission area.

Composition

A contracting support EEM has no fixed organization. In addition to contracting officers, it generally contains legal, finance, and resource management personnel to handle the entire range of actions involved in awarding contracts. Linguists and other support personnel may be added. The contracting EEM establishes operations with or near the local vendor base. Their initial contracts are to fulfill requirements for office and living space, transportation, communications, and support personnel.

The size of the module depends on the extent of the operation and the size of the deploying force. Normally, module personnel are drawn from the contracting elements assigned to the forces involved, and fall under the operational control of the senior contracting organization in the theater.

ARMY SERVICE COMPONENT COMMANDER

The ASCC prepares, trains, equips, and provides CSS to Army forces assigned to unified or specified commands. He conducts Army operations to support the CINC's objectives. When designated as the HCA, the ASCC is responsible for the theater contracting management functions.

The Army restructured theater Army headquarters to form Army Service Component Commands to replace the ad hoc arrangements previously used to support ASCC in Joint theaters. The ASCC staff provides planning and policy for deployed Army forces. Contracting personnel organic to the Army Service Component Command include the PARC and the PARC staff. The PARC, who works directly with the ASCC in his role as the HCA, plans and manages all Army contingency contracting activities in-theater. This plan, the Army's theater contracting support plan published as an appendix to the logistics annex to the OPLAN or OPORD, governs all Army contingency contracting personnel throughout the theater. While the PARC staff retains the capability to perform limited contracting functions, their primary role is establishing and administering Army theater contracting plans and policies, and management of the ASCC's contracting mission.

THEATER SUPPORT COMMAND

The TSC is a multifunctional organization that centralizes the command, control, and supervision of support functions at the operational level. It is normally the senior Army logistics organization in a theater (Figure 2-3). The TSC synchronizes logistics and support operations. It provides area support to operational level units and sustainment support to the tactical level. It plans for and directs the provision of support to Army and other forces. This support includes supply, contracting, maintenance, transportation, field services, property disposal, health services, civil-military operations, finance support, and personnel and administrative support, as directed by the ASCC or Army forces (ARFOR) commander. The TSC headquarters EEM normally acts as the command and control element of the TFOP. The Logistics Support Element (LSE), an organization deployed by the USAMC to help commanders manage USAMC contractors, works as part of the TSC. A key mission of the TSC is to perform theater contracting and local procurement.

At this level, the Engineer Command (ENCOM) advises the commander on engineer support contracting. The TSC provides support through a number of functional and multifunctional units, such as area support groups (ASGs). ASGs provide support, including contracting support, to units and activities on a geographical area basis.

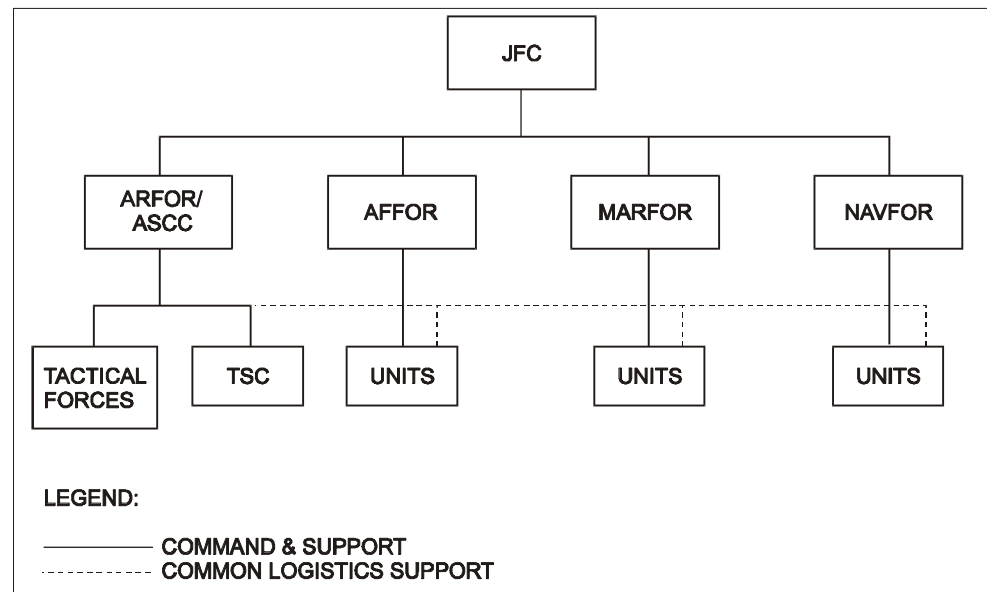


Figure 2-3. TSC Command Relationships

Mission

The Contracting Directorate is located in the TSC headquarters and provides contracting services to include contracting with host nation (HN) vendors, evaluates contract performance, and coordinates the receipt of supplies and services from vendors. The directorate works directly with the PARC, located in the Army Service Component Command, to achieve the theater contracting objectives and to adhere to the priorities established by the HCA. The directorate forms the nucleus for the theater contracting organization, procuring any commodities the PARC restricts to that level due to its scarcity or mission-criticality. The TSC Contracting Directorate coordinates contingency contracting with the ASCC G4, the LSE, LOGCAP, the ASCC G5, and the HNS Directorate, which plans for and manages host nation support. ASGs, if present, provide contracting support to units within its area of responsibility and to corps support groups (CSGs) on a backup basis, in compliance with the PARC's contracting support plan.

Contracting Structure

The PARC within the Army Service Component Command plans and manages all Army contracting originating in the theater. The TSC Contracting Directorate forms the Army's theater contracting office. The chief of the TSC contracting directorate, the Army's senior contracting officer in the theater, heads the Army's theater contingency contracting operations. The PARC structures contracting operations within theater, consolidating contracting functions while exercising functional control of contracting personnel from other organizations, such as the USACE, with separate and distinct contracting authority. The PARC may consolidate contingency contracting personnel, or

distribute them with their parent units as area procurement offices subordinate to him, based on METT-TC. Specialized contracting personnel, such as those from the USACE, USAMC or Defense Contract Management Command (DCMC), operate with procurement authority from their commands. These personnel support ASCC staff sections, such as the USACE Contingency Real Estate Support Team (CREST) which provides real estate and real property acquisition support to the ASCC Engineer, or LOGCAP supporting the G4. These ASCC staff agencies coordinate the contracting actions of their commands in-theater with the PARC through the ARB to avoid competing with other US units for the same goods or services. Contracting support provided by the TSC is accomplished through either the contracting directorate in the TSC headquarters, under the Deputy Commander for Support Operations, or a contracting element in a subordinate ASG. The TSC headquarters contracting directorate performs its mission through a staff of contracting officers, and procurement, legal, and administrative specialists. The head of the TSC contracting directorate may also be delegated chief of contracting authorities by the PARC when the ASCC doesn't deploy to support a limited mission. The ASG provides its contracting support through an element located within the headquarters support operations directorate.

Location of Contracting Elements

The TSC contracting directorate locates with the vendor base and in proximity to the other TSC headquarters elements, in the theater base in the COMMZ in accordance with the contracting support plan. Contracting officers and other support personnel of the TSC, corps, divisions and the ASG locate where the PARC and subordinate level contracting chiefs direct in their respective contracting support plans.

LOGISTICS SUPPORT ELEMENT

The LSE, a subordinate element of the USAMC, serves within the TSC, either assigned or attached, as the focal point for all USAMC activities in a theater. USAMC fields three theater oriented LSEs: LSE-Europe, LSE-Far East and LSE-CONUS, with responsibility to support the Central Command (CENTCOM) and Southern Command (SOUTHCOM). USAMC augments LSE as required with organic military personnel, DA civilians and contractor personnel. The LSE retains administrative control of these attached contractors, coordinating their life support, transportation and force protection with the TSC. The LSE maintains direct lines of communication to contracting officers assigned to USAMC's major subordinate commands (MSCs) to modify their contracts as required. The LSE fully integrates contractors into their structure. The LSE does not directly manage the LOGCAP contract or contractors in the area of operations. USAMC LOGCAP PM deploys a Team LOGCAP Forward, which falls under the LSE to manage the use of LOGCAP contractor efforts in support of the deployed force. The LOGCAP Procuring Contracting Officer (PCO) or designated representative deploys as a member of this team. FM 63-11,

Logistics Support Element, describes LSE organization and functions in greater detail.

Mission

Management teams from USAMC's MSCs provide on-site control of weapon systems contractors and fully integrate contractors into the LSE structure. The LOGCAP Program Manager deploys a management team to coordinate, together with the Defense Contract Management Command, International (DCMCI), LOGCAP support for the commander, as stipulated in the PARC's contracting appendix to the OPLAN or OPORD. The PARC, LOGCAP PM and DCMCI ensure this contracting support plan integrates theater contingency contracting with LOGCAP to ensure seamless, cost-effective support for deployed forces. TSC contracting personnel procure supplies and services to support the LSE mission requirements.

Contracting Structure

USAMC's LSEs rely on the PARC's contracting personnel for local procurement of supplies and services. Each USAMC MSC deploys a team headed by a senior command representative, which may include CORs for that command's weapon systems contracts. The LSE staff may include legal and contracting advisors. The theater PARC's contracting support plan governs contracting personnel deploying with the LSE, just as it does all other Army contracting personnel operating within the theater.

Location of Contracting Elements

The LSE normally locates near the TSC in the COMMZ, and may disperse teams throughout the theater to support systems and LOGCAP contractors.

CORPS

The COSCOM provides support, including contracting support, to the corps force and to other units, Services, or allies as directed. The COSCOM provides contracting support through the corps contracting section or center in its headquarters, and through its various subordinate units.

MISSION

The Corps Contracting Center in the COSCOM provides contracting support to corps non-divisional units, corps headquarters, and corps troops. The Chief of this section serves as the corps' contingency contracting chief, planning and managing all contingency contracting efforts within the corps' AO. The corps' contracting chief drafts the corps' contracting support plan, structuring contracting personnel from the COSCOM and its subordinate units, and

contracting personnel from divisions operating under the corps, in accordance with METT-TC and the PARC's theater contracting plan, to conduct contingency contracting operations in support of corps missions.

CONTRACTING STRUCTURE

The COSCOM's Corps Contracting Center plans and provides contingency contracting support for the corps. The corps' contracting chief plans and manages contingency contracting within the corps' AO in accordance with the PARC's theater contracting support plan. The corps contingency contracting chief consolidates corps contracting functions, and structures corps contracting provided by personnel within the COSCOM and its subordinate units, and divisions under the corps, in accordance with METT-TC. Multiple units throughout a corps - COSCOM, corps support groups, Force Provider Companies, and select transportation detachments, as well as the division support command (DISCOM) within divisions - all have organic contingency contracting personnel who operate under the provisions of the theater and corps contracting support plans. Based on METT-TC considerations, the corps contracting chief may consolidate contracting personnel from units within the corps area, or employ units' contracting personnel as area procurement offices in direct support of their organic units.

LOCATION OF CONTRACTING ELEMENTS

Organizationally, contracting elements within a corps are in multiple locations, both within the COSCOM and within the DISCOMs at division level. Contingency contracting personnel are organic to the COSCOM in its Headquarters, Headquarters Company (HHC), in CSG, in Force Provider Companies, and in select Transportation Detachments. Operationally, these elements will most likely be consolidated under the Corps Contracting Center, working for the corps contracting chief. Corps contracting operations may be consolidated with theater's, if directed by the PARC's theater contracting support plan.

DIVISION

The DISCOM provides CSS to all organic units and elements attached to the division. Contracting support for a division resides in a small contracting support element in DISCOM headquarters.

MISSION

The division contracting element locates and procures resources to support division operations by providing specified CS and CSS from commercial sources. When a division is designated the ARFOR, the division G4 plans and manages LOGCAP, and the division G5 plans and manages HNS, supporting divisional missions. The division contracting section works with these staff sections to help the commander coordinate available HNS, contracting, and LOGCAP resources.

CONTRACTING STRUCTURE

The division contracting element is comprised of two contracting officers and a small support staff. If the division is operating independently, this element requires augmentation.

LOCATION OF CONTRACTING ELEMENT

The division's contracting section, organic to the DISCOM, operates under the theater and Corps contracting support plans. Based on METT-TC, this section may be attached to the senior mission contracting organization and consolidated with other contracting assets, or may provide direct support for the division as an area procurement office within the division area.

OTHER CONTRACTING ELEMENTS

Several commands with separate and distinct contracting authority operate on the battlefield. These include the USACE, which procures any real property or real estate required by deployed Army forces, the Military Traffic Management Command (MTMC) and DCMC/Defense Logistics Agency (DLA) activities, among others. The PARC coordinates with these activities and incorporates their functions into the contracting support plan. These elements must establish and maintain effective and constant dialogue with the PARC or senior contracting official to avoid competition between US Government agencies for the same resources.

SECTION II

COMMAND AND CONTROL

CONTROL AND MANAGEMENT OF CONTRACTING ORGANIZATIONS

Control and management of contracting support in a theater is based on the principles of centralized management and decentralized execution. Contracting functions are always centralized to preclude units from competing with one another for the same scarce resources, and to ensure available resources are properly prioritized to the correct unit(s). The PARC structures available Army contracting assets per METT-TC to best support the Army's theater mission, then publishes this structure in the contracting appendix of the OPLAN or OPORD. Regardless of the composition of the theater – Army only, joint, or multinational – contracting support is controlled at the highest level. This optimizes the efficiency of the theater contracting effort, achieves economies of scale by consolidating contracting requirements, and minimizes or eliminates the competition for limited resources.

ARMY OR JOINT ENVIRONMENT

The environment in which contracting elements operate varies according to the nature and scope of the mission being supported. The theater, or highest operational level organization deployed if lower than theater level, normally establishes a joint contracting organization. If the Army is designated the lead Service, with executive agency responsibilities to plan and administer contracting, a joint contracting structure is established, which includes all deployed contracting assets. The lead Service plans contracting support of the Joint Force, based on METT-TC. When designated Executive Agent for contracting, the PARC may consolidate contracting activities in-theater into joint contracting centers or offices, employing contingency contracting personnel from all Services in accordance with the theater contracting plan. Contracting personnel from the USACE, USAMC, DCMC, United States Transportation Command (USTRANSCOM), Program Management Offices, and other Defense agencies, maintain their procurement authority with their commands while working under the PARC's functional control in-theater. The PARC's functional control of theater contracting requires all contracting personnel in-theater to coordinate their actions with the PARC, usually through the ARB, and to follow the PARC's contracting support plan when procuring any goods and services within the theater. The contracting appendix in the OPLAN or OPORD stipulates this relationship, allowing these varying contracting efforts to complement rather than compete with one another. The Service leading theater contracting must also lead theater finance and resource management operations.

Senior commanders always want their direct support (DS) under their command. Each echelon from division to EAC has some type of organic contracting element in its organizational structure. The principle of centralized control and management of contracting elements seems to contradict this desire. However, centralization better serves the interests of the force as a whole. While management and control of contracting functions and authority is centralized, execution of the mission is decentralized as much as possible so that the approved contracting requirements at all levels can be promptly satisfied. The PARC determines, based on METT-TC, where the mission commander needs contracting personnel to best support the mission. Local vendor base considerations often drive this decision. The PARC often determines to leave contingency contracting personnel within their parent corps areas as area procurement offices to build on their habitual working relationships with the chain of command. A limited vendor base, or other considerations, may require partial or total consolidation of contingency contracting personnel to support the force. The PARC also displaces or redistributes contracting personnel and sections to support the ASCC's scheme of maneuver.

The hierarchy of the contracting support structure includes two important positions and a board to ensure centralized management of contracting functions. Because of their assigned authority, these directly influence the manner in which contracting support in the theater is organized, managed, and executed. These include the HCA, PARC, and the acquisition review board.

Head of the Contracting Activity

The HCA, appointed by the ASA(ALT), is the senior Army contracting authority in-theater, and is the authority for the approval of contracting actions as stipulated by the various acquisition regulations. The HCA implements operational plans based on Army secretariat instructions, and is the appointing authority for the PARC, a contracting professional and his principal contracting assistant. The HCA is a general officer, normally the senior commander or his deputy, in the theater. In a joint environment, the CINC designates a lead Service for contracting, whose HCA oversees contracting functions for the Joint force per their Service doctrine; for the Army, the ASCC or the deputy would likely be that HCA. All Army contingency contracting authority in a theater flows from that HCA.

Principal Assistant Responsible for Contracting

The PARC is designated by the HCA as the principal contracting assistant overseeing the daily activities of the theater's contracting operations. The PARC is sometimes referred to as commander of theater contracting. He and his staff are organic to the Army Service Component Command with direct access to the HCA.

The PARC is a key individual in a theater for controlling and managing Army contracting organizations and personnel. The PARC—

- Establishes policies and procedures for developing, reviewing, and managing the contingency contracting process.
- Coordinates intercommand agreements detailing contracting support relationships between major Army commands (MACOMs) and other Services. This would include approving joint services contracting, whether the function would be a means of supporting remote Army units or establishing a joint main element for contracting purposes.
- Establishes procedures governing the appointment of contracting officers and ordering officers. This helps to control the numerous contracting and ordering officers that deploy for an operation. Often these personnel are appointed by their respective command HCAs. When arriving in the theater the PARC revalidates, changes the approval levels or issues new authorizations for these personnel to perform their duties in the theater. Without it, they have no legitimate authority to commit the US government to award new contracts or order under existing contracts.
- Processes deviations, waivers and special authorizations.

- Reviews HNS, Status of Forces, and Assistance in Kind Agreements and any treaties to find the most effective source for requested supplies or services.
- Establishes and maintains liaison with contracting personnel deployed under the contracting authority of their parent organization. For example, the USACE supports the ASCC by deploying contracting personnel, who derive their contracting authority from the USACE's HCA, to acquire real property/real estate and administer ongoing construction contracts. These USACE contracting personnel establish liaison with the theater PARC, and coordinate their efforts with the theater PARC through the ARB. These personnel comply with the theater PARC's contracting support plan for any purchases they effect within the theater to ensure they don't rely on local support, such as line-haul transportation, the ASCC withholds to his control.
- Plans theater contingency contracting support for the CINC. Publishes this plan as an appendix to the logistics annex of the theater/mission OPLAN or OPORD.
- Designates theater controlled commodities for which procurement authority is reserved to the theater contracting office.
- Establishes and maintains liaison with USAMC and DCMCI personnel administering LOGCAP support to ensure seamless, cost-effective support for deployed forces.

Acquisition Review Board

An ARB, also known as the CINC acquisition and contracting board, is appointed when joint operations are involved, and may be used during Army only missions to validate requirements. It consists of operations, logistics, host nation liaison, legal, resource management, and contracting members that review requirements for contracting support against the established contracting support plans and priorities established by the CINC/Commander, Joint task Force (CJTF)/ASCC. The CINC or senior commander in-theater convenes this board to provide input into the contracting priorities and allocation of resources. It screens requirements and determines whether or not they should be satisfied through contingency contract support, or through HNS, LOGCAP, or other prearranged sources, such as assistance in kind or cross-service agreements. The PARC's contracting support plan specifies criteria for actions requiring ARB review; two of the most common of which are dollar threshold of the procurement and designated categories of goods and services. Once established the ARB, or the CLPSB in Joint operations, establishes overarching policies that influence ARB functions.

CONTRACTING INFORMATION MANAGEMENT

Managing contracting information in a contingency environment presents a challenge that is not present in a garrison setting. The Army is fielding the Standard Procurement System (SPS), a DOD standard system, to facilitate the management of purchases and produce the actual contract documents. Laptop computers using SPS or available software, and portable printers permit contracting personnel to function in austere environments.

Using the automated contracting system enables contracting personnel to--

- Assign and control purchase order and contract numbers, and assists in reconciling records with finance and the comptroller.
- Submit various required reports.
- Facilitate processing of contracting actions and the inclusion of the appropriate text for contract clauses and solicitation provisions.

Until SPS is fully fielded, contracting elements use other automated information management capabilities. A wide variety of software is required to accomplish the many facets of contracting. There is currently no DOD-standard integrated software system to support contingency contracting officer functions. Experience from past operations has taught that at a minimum, contingency contracting elements must have word processor, spreadsheet, database, form generation, presentation graphics, and communication capability. There are several commercial off-the-shelf packages that provide most of these under a single umbrella-type program.

With currently available and emerging information management systems, contingency contracting elements have the capability to expeditiously respond to contracting requirements. Regardless of automated systems, contingency contracting personnel must retain the capability to operate manually, deploying with appropriate forms, regulations, clauses and supplies to establish and maintain contracting functions in austere sites, or in the event of failure of their automated systems.

CONTROL AND MANAGEMENT OF CONTRACTORS

Controlling and managing contractors on the battlefield presents an additional challenge to the theater commander. Where they are located in the theater and their movement has an impact on the mission of the military forces they support. In general, there are three different types of contractors operating on the battlefield, theater support contractors, external support contractors, and systems contractors. Commanders plan for, and manage, each category of contractors differently. FM 100-XX, *Contractors on the Battlefield*, discusses these categories in greater detail.

THEATER SUPPORT CONTRACTORS

Theater support contractors support deployed operational forces under pre-arranged contracts, or contracts awarded from the mission area, by contracting officers serving under the direct contracting authority of the theater PARC. Theater support contractors provide goods, services and minor construction, usually from the local vendor base, to meet the immediate needs of operational commanders. Immediate contracts involve deployed contracting officers procuring goods, services and minor construction, usually from the local vendors or nearby offshore sources, immediately before and during the operation itself. Theater support contracting occurs in accordance with the PARC's theater contracting plan, an appendix to the OPLAN or OPORD, which governs all procurement of goods, services and minor construction within the area of operations.

EXTERNAL SUPPORT CONTRACTORS

External support contractors provide support for deployed operational forces that is separate and distinct from either theater support or systems contractors. They may be pre-arranged contracts, or contracts awarded during the contingency itself to support the mission. Contracting officers who award and administer external support contracts retain unique contracting authority from organizations other than the theater PARC or systems offices under a program manager (PM), program executive officer (PEO) or USAMC. USAMC for example, provides commercial depot support through contracts awarded by its commodity commands. Other organizations providing external support contractors include the LOGCAP Program Office, which through LSEs administers their pre-arranged umbrella contract, commonly referred to as LOGCAP; USTRANSCOM commands, which provide Civil Reserve Air Fleet (CRAF) and commercial sealift supporting the theater; and the USACE, which procures leased real property and real estate. The LOGCAP Program Office's umbrella contract, activated only upon DA DCSLOG approval, supports contingency operations and is administered through the in-theater LSE. These organizations retain contracting authority for those specific functions from their parent commands. Commanders and their staffs include these commands in their mission planning, and each should include support appendices in the applicable staff section annex to the OPLAN or OPORD. For example, the staff engineer coordinates USACE procurement of real property and real estate; the Joint Force transportation planner coordinates with USTRANSCOM commands to monitor their assets. External support contractors establish and maintain liaison with the theater PARC as they conduct their unique support missions. They procure goods and services they require within the theater in accordance with the PARC's theater contracting plan, published in the OPLAN or OPORD.

SYSTEMS CONTRACTORS

Systems contractors support deployed operational forces under pre-arranged contracts awarded by PM's, PEO's, and USAMC to provide specific materiel systems throughout their life cycle, during both peacetime and contingency operations. These systems include, but are not limited to, vehicles, weapon

systems, aircraft, command and control infrastructure, and communications equipment. Contracting officers working for the PMs/PEOs and USAMC subordinate commands administer their systems contractors' functions and operations via their contracts. USAMC and the individual PM/PEO maintain contracting authority for these contracts, planning required support for their systems and coordinating that support with the supported CINC's planning staff. Systems contractors establish and maintain liaison with the PARC or the senior Army contracting official in the theater as specified in the theater contracting plan. These contractors procure goods and services they require within the theater in accordance with the PARC's theater contracting plan, published in the OPLAN or OPORD.

SECTION III

CONTINGENCY CONTRACTING PARTICIPANTS

THE ACQUISITION TEAM

Contracting support for any operation is not the sole responsibility of the contracting organizations in the theater. The responsibility for successful contracting support is shared by a number of participants, each of whom plays an important role in the process. All must work together to make contingency contracting a responsive force multiplier.

COMMANDER

The commander is the key participant in the contracting support process, responsible for contracting support within his area of operation. He ensures that contracting guidance, plans, and policies are integrated into his operations planning and execution, establishes priorities for using contracting, and allocates the resources available. Commanders bear responsibility for the contractor personnel operating in their areas.

COMPTROLLER/RESOURCE MANAGER

The comptroller/RMO prepares and maintains the budget for the command. He certifies funds on purchase requests prior to submission to the contracting element, and approves and provides written certification of funds availability for all purchase requests for locally purchased goods and services. Contracting and RMO often locate in close mutual proximity to expedite purchase request processing.

STAFF PROPONENT

Staff proponents are responsible for contracting support requirements within their functional areas. They provide the technical expertise and oversight for requirements within their responsibility, and are responsible for approving purchase requests prior to their submission to the contracting element.

REQUIRING ACTIVITY

The requiring activity is the unit, activity, or organization that identifies what is needed and when it is needed. In support of this identified need, it prepares the purchase request and the associated statement of work (a detailed description of what is needed), estimates the cost, and obtains the certification of funds from the comptroller/resource manager. Once the requirement has been contracted for, the requiring activity receives the supplies and services, and ensures that what was provided is what was requested. The requiring unit provides personnel as required by the contracting officer to serve as the COR.

CONTRACTING OFFICER

The contracting officer is trained, certified and warranted to acquire requested supplies and services, and is the only individual legally authorized to financially obligate the US government above the micropurchase threshold. He is responsible for ensuring that all applicable laws and regulations are complied with. The contracting officer buys what the requiring activity specifies, and ensures that what is specified is what is provided.

CONTINGENCY CONTRACTING OFFICER

A contingency contracting officer (CCO) is a special contracting officer, defined by the duties he performs. Contingencies are by their very nature emergency situations such as major theater war, small-scale contingencies, peacekeeping, disaster relief, and humanitarian relief. The CCO faces physical danger, extreme mission urgency, and long work periods. Additionally, he deploys on short notice and operates in locations he knows little about, dealing with contractors who often have little or no knowledge of US government contracting practices, and working without the robust support of a home station contracting office.

LEGAL ADVISOR

Legal support for the contracting process is critical for ensuring that contract actions are performed within legal limits. The Staff Judge Advocate provides contract law advice throughout the entire contracting process.

FINANCE AND PAYING AGENTS

Finance support for contracting operations is a critical element of the acquisition process; it involves the actions necessary for the timely and accurate payment of contractors for contracted supplies and services. This support is provided through finance elements in the theater. Another key responsibility of the finance element is training, supporting, and supervising the paying agents who pay vendors who provide the supplies and services. Contracting personnel are prohibited from disbursing funds. Finance personnel, or their designated paying agents, must deploy with contracting personnel.

Paying agents, formerly referred to as Class "A" (disbursing) agents, are individuals nominated by their command and appointed by the finance element to make cash payments to vendors for supplies and services acquired through contract procedures. Appointments as paying agents are normally limited to commissioned officers, warrant officers and senior noncommissioned officers (NCOs), normally at least staff sergeants. These individuals have no contracting authority; they are simply disbursement agents who perform their duties within the specified limits of their appointment orders. Paying agents cannot serve simultaneously as ordering officers or CCOs.

ORDERING OFFICER

An ordering officer is an individual, nominated by his command and appointed by the chief of the theater/mission contracting element, authorized to make purchases up to a specified limit. This individual uses a variety of purchase methods such as imprest funds, calls against Blanket Purchase Agreements, SF44 purchases, and government credit card transactions to accomplish his duties. Appointments as ordering officers, like the paying agents, are normally limited to commissioned officers, warrant officers, and senior NCOs. Neither property book officers or paying agents can be ordering officers because of the potential for conflicts of interest.

RECEIVING OFFICIAL

Commanders designate an official, normally from a supply activity or the unit requiring commercial support, to accept, account for and distribute locally procured goods and equipment. The requiring activity identifies their receiving official to the contracting officer on their purchase request. The receiving official accepts vendor delivery, then forwards receiving reports to the contracting officer to verify delivery. Contracting officers need valid receiving reports before a vendor may be paid.

CONTRACTING OFFICER'S REPRESENTATIVE

The COR is an individual designated by the command and normally a member of the requiring activity that is appointed by the contracting officer to act as his authorized representative in the technical monitoring or administration of a contract. The COR performs his duties within the specific limits stated in his

appointment orders. The COR has no authority to direct changes that affect price, quantity, quality, delivery or other terms or conditions of the contract. His responsibility is to monitor and enforce the contract as written, and to document receipt of goods and services so the contractor can receive payment.

PROPERTY BOOK OFFICER

The PBO is an individual designated to maintain accountability for government property; this accountability is formally recorded in a property book. A PBO may be a commissioned officer, warrant officer, NCO, or a qualified DOD civilian. The PBO is the initial approval point for contracting requests that involve nonexpendable supplies and equipment. He determines if items requested exist within the supply system or are eligible for contracting. The PBO also ensures that proper accountability is established after an item has been purchased or leased through contracting.

GOVERNMENT-WIDE COMMERCIAL PURCHASE CARD HOLDERS

The GCPC is an instrument used to purchase supplies and services up to an established limit. It can also be used as a method of payment by the CCO. Because merchant acceptance of the GCPC varies widely outside the US, contingency planning should determine whether GCPC is useful in specific instances. As a general rule, commanders should anticipate needing both GCPC and cash payments by finance personnel or pay agents to support required contingency contracting operations.

GCPC holders are individuals designated by the command to make purchases using procedures similar to those for ordering officers. These individuals are appointed by the contracting organization and are governed by contracting rules and established limits on the value of supplies and services that may be bought using GCPC. The theater PARC determines who is eligible to be a cardholder, but at a minimum, CCOs and ordering officers normally are cardholders.

THE JOINT/MULTINATIONAL ENVIRONMENT

Contingency operations almost always involve not only Army forces, but also those of the other Services, and our allies. Because of the variety of forces involved, contracting support assumes an entirely different complexion than it has when only Army forces are involved. Contracting elements become more diverse and multidimensional when operating in a joint or multinational environment. The overriding principle that governs contracting support in such an environment is consolidation of contracting assets to achieve maximum operational efficiency and economy.

JOINT COMMANDER

A CINC exercises combatant command authority (COCOM) over assigned forces, including directive authority for logistics. This gives him the ability to shift support resources within the theater. In a contingency environment, the logistics authority of a CINC enables him to use all capabilities of all forces assigned to his command as necessary for the accomplishment of the mission. This authority includes contracting support and allows him to utilize his contracting resources in a manner he feels most appropriate for the situation. There are a number of ways in which he can direct that contracting support be provided, ranging from a consolidated, centrally managed joint contracting activity (managed by a single Service), to contracting support being provided separately by each Service. Regardless of the option used, the CINC or a CJTF determines how contracting support is organized and structured within the theater of operations.

The senior contracting official from the designated lead Service for theater contracting publishes the theater/joint force contracting support plan as an appendix to the logistics annex to the OPORD and OPLAN. This plan governs theater contracting structure, locations, command relationships, responsibilities, and any restrictions such as commodities reserved for procurement by theater contracting.

INTER/INTRASERVICE RELATIONSHIPS

Within the Army, contracting support is generally a straightforward process of identifying requirements, obtaining funding and approval to contract, and the acquiring of the supplies and services by the contracting activity. Numerous Army and Defense Department contracting organizations provide contracting support for deployed forces.

In a joint environment the process remains essentially the same, involving organizations with varying approaches to the objective of obtaining supplies and services as quickly as possible. In a joint or multinational environment, it is very possible that the contracting assets of another Service will be the ones providing the contracting support. Whoever is designated the lead Service for contracting support, Army, Navy, Air Force, Marine Corps, DLA, USACE and MTMC contracting personnel will work together within the framework of the OPORD's contracting appendix to support the JFC's missions. US contracting personnel likewise often find themselves supporting United Nations or North Atlantic Treaty Organization (NATO) missions, requiring them to utilize different forms and regulations, and to educate the supported commanders of those new procedures.

NONGOVERNMENTAL ORGANIZATIONS/PRIVATE VOLUNTEER ORGANIZATIONS

Depending on the nature of the contingency, nongovernmental organizations (NGO) and private volunteer organizations (PVO) often play key roles on or near the military area of operations. These organizations operate with widely varying social and political agendas, and with priorities that often differ

markedly from those of the ground force commander. These organizations, outside of the PARC's authority, often compete with US forces for scarce commercial support. The PARC coordinates with these organizations through the G5, and through the civil military operations center, normally established and operated by US civil affairs personnel. This coordination helps minimize competition, and provides an avenue to exchange information about local market conditions. These organizations can be sources of information to assist contracting organizations in the performance of their missions, or might themselves need support.

MULTINATIONAL FORCES

The US has historically participated in military operations with allied nations to accomplish its missions. This trend continues, but in recent years, with operations like Operation JOINT ENDEAVOR in Bosnia and Operation RESTORE HOPE in Somalia, integration of multinational forces is occurring at a much lower command level than in the past. Multinational operations are now being conducted at the operational and even tactical levels.

In theory, contracting support remains a national responsibility during multinational operations, with each participating nation being responsible for contracting support for its own forces. In practice, US forces often provide unique support to other participating nations, or to contract in nations with business practices that differ markedly from those in the US. Close liaison between US contracting personnel, the RMO, civil affairs, legal and local embassy officials is critical to procuring required goods and services in compliance with US laws and regulations, and the local customs and business practices.

OTHER GOVERNMENTAL AGENCIES

The Federal Emergency Management Agency (FEMA) often heads domestic disaster relief efforts, which Army contracting personnel might support. In these scenarios, Army personnel operate under a Defense Cooperation Officer (DCO) who coordinates DOD efforts with those of other agencies, and comply with FEMA funding procedures. Army contracting personnel also work with state and local government officials and contracting offices during these missions. The State Department routinely requests DOD support for humanitarian civil assistance and exercise-related construction (ERC) missions.

Chapter 3

Planning for Contracting Support

"When you are planning to march, arrange everything in advance."

Frederick the Great
Instructions (1747)

Planning for contracting support is part of the overall support plan for any operation. Although support factors constrain combat operations, the supported commander's concept of operations, priorities, and allocations dictate the actions of the supporting logistician in determining which support options, including contracting, will best satisfy an operation's logistical needs.

THE PLANNING PROCESS

Planning permits rapid, coordinated action by staffs and other elements of the command. It also permits the command to respond to rapidly changing situations. Adequate, practical planning is essential to the success of contracting support and is an essential part of the environment of both the operational planner and the contracting manager. Operational planners at all levels must actively involve contracting managers in the planning process to ensure that contracting support is a considered support option, and when used, it will be responsive to the needs of the command. Success requires advance knowledge of expected support requirements so that a responsive approach can be developed and potential sources identified. Planning for contracting support follows the same process as other planning, and is part of both the deliberate and crisis action planning (CAP) processes. Properly included in the planning process, contingency contracting personnel locate vendor bases within and near the mission area, identify supplies, services and equipment available from the local economy, and advise the commander how to leverage this commercially available support. This allows planners to maximize available airlift and sealift assets. CCOs also help commanders avoid basing their plans on false assumptions about the availability or suitability of commercial support.

MILITARY DECISION-MAKING PROCESS

The foundation upon which planning is based is the military decision-making process (MDMP). MDMP is a single, established, and proven analytical process. (See Figure 3-1.) It is an adaptation of the Army's analytical approach to problem solving. The MDMP is a tool that assists the commander and staff in

developing estimates and a plan. It helps them to examine the battlefield situation and reach logical decisions. The process helps them apply thoroughness, clarity, sound judgement, logic, and professional knowledge to reach a decision. The full MDMP is a detailed, deliberate, sequential, and time-consuming process used when adequate planning time and sufficient staff support are available to thoroughly examine numerous friendly and enemy course of action. This typically occurs when developing the commander's estimate and OPLAN's, when planning for an entirely new mission, and during extended operations. The MDMP is also the foundation on which planning in a time-constrained environment is based. The products created during the full MDMP can and should be used during subsequent planning sessions when time may not be available for a thorough relook, but when existing METT-TC factors have not changed substantially. For a full discussion of MDMP, refer to Field Manual (FM) 101-5.

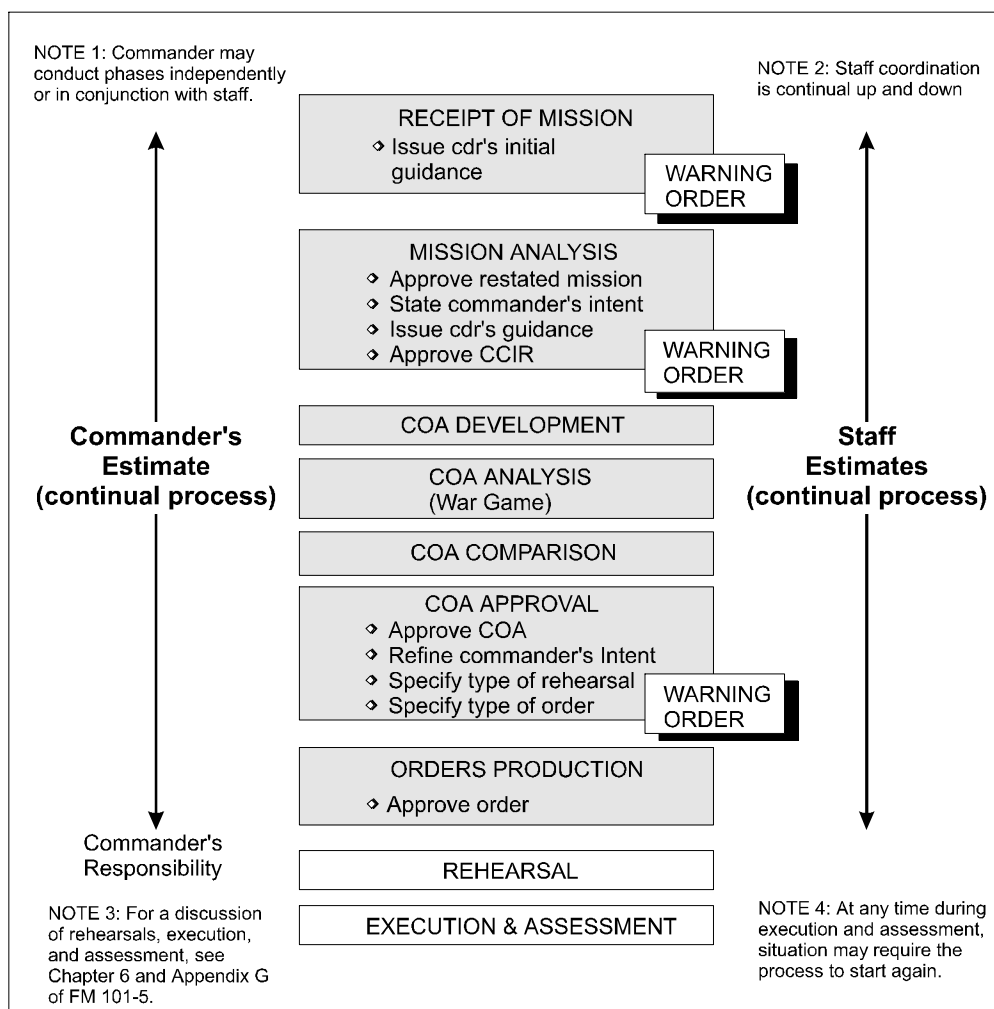


Figure 3-1. The Military Decision-Making Process

DELIBERATE PLANNING

Contingency plans can be developed and refined during peacetime conditions. This process, called deliberate planning, results in approved operation and supporting plans (Figure 3-2). Contracting support planning for operations conceived under the deliberate planning process is continuous, consisting of detailed planning for supporting initial deployment of forces and sustainment after their arrival in the theater. The process begins with assignment of a task in the joint strategic capability plan (JSCP) to a combatant commander and ends with the approved OPLAN. Geographic combatant commanders develop a concept of operations for each JSCP assigned task. Component commanders and subordinate joint force commanders use the OPLAN to develop their supporting plans. Plans for contracting support are identified and contained in an appendix of Annex D of a Joint OPLAN, or Annex I of an Army OPLAN, and contain the commander's contracting support plans and procedures.

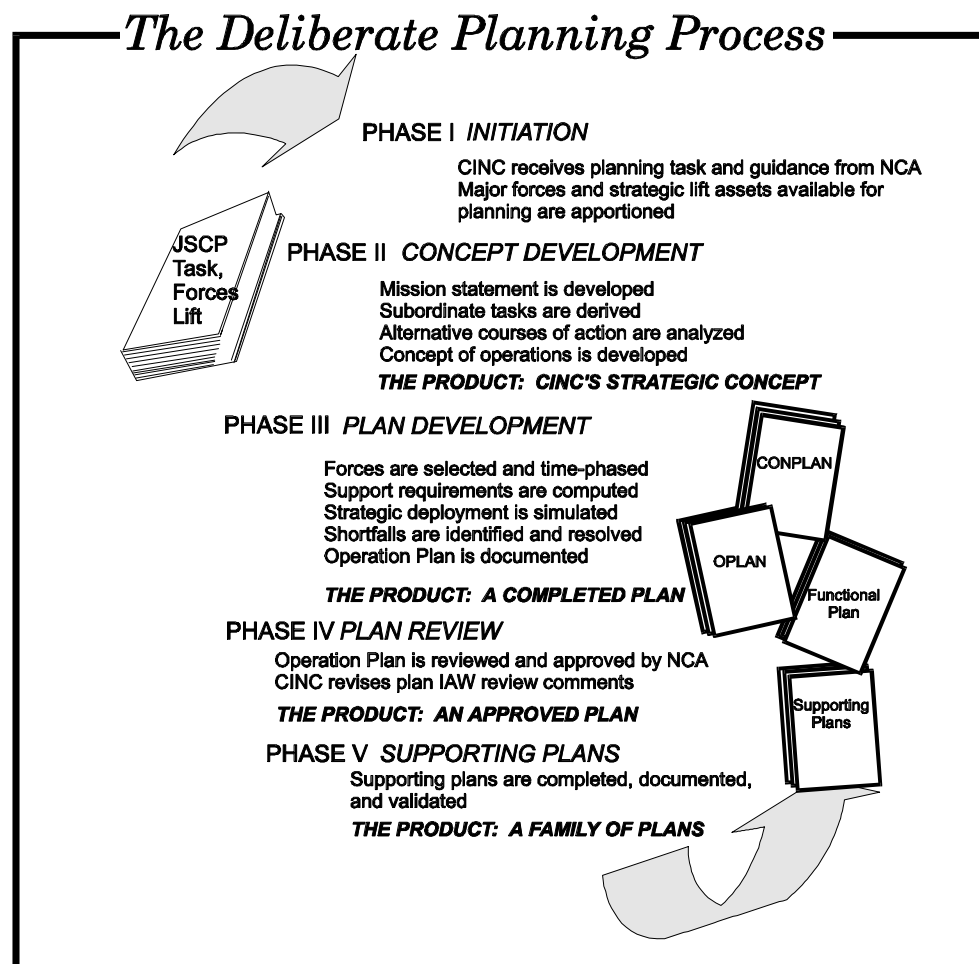


Figure 3-2. Deliberate Planning Process

CRISIS ACTION PLANNING

While deliberate planning is conducted in anticipation of future events, situations arise that require immediate US military response. While such situations may approximate those previously anticipated in deliberate planning, they sometimes are complete surprises. Usually, the time available to plan responses to such events is short. In as little as a few hours, a feasible course of action must be developed and approved. Timely identification of resources required to ready forces, schedule transportation, and prepare supplies for the movement and employment of forces is essential. In such crises, or time-sensitive situations, CAP procedures are used. CAP emphasizes the time available, rapid and effective communications, and the use of previously accomplished contingency planning where possible. CAP uses a phased approach to planning, as shown in Figure 3-3. As with the deliberate planning process, OPORDS that result from the CAP contain appendixes to the logistics annex to address the contracting support plans and procedures for the particular operations.

PHASE I SITUATION DEVELOPMENT	PHASE II CRISIS ASSESSMENT	PHASE III COA DEVELOPMENT	PHASE IV COA SELECTION	PHASE V EXECUTION PLANNING	PHASE VI EXECUTION
EVENT					
EVENT OCCURS WITH NATIONAL SECURITY IMPLICATIONS	CINC's REPORT/ ASSESSMENT RECEIVED	CJCS PUBLISHES WARNING ORDER	CJCS PRESENTS REFINED AND PRIORITIZED COAs TO NCA	CINC RECEIVES ALERT ORDER OR PLANNING ORDER	NCA DECISION TO EXECUTE OPORD
ACTION					
• MONITOR WORLD SITUATION • PROBLEM RECOGNITION • SUBMIT CINC's ASSESSMENT	• INCREASE AWARENESS • INCREASE REPORTING • JCS ASSESS SITUATION • JCS ADVISE ON POSSIBLE MILITARY ACTION • NCA-CJCS EVALUATION	• DEVELOP COAs • EVALUATE COAs • CREATE/ MODIFY JOPES DATABASE • CINC ASSIGNS TASKS TO SUBORDINATES BY EVALUATION REQUEST MSG • CINC REVIEWS EVALUATION RESPONSE MSG • USTRANSCOM PREPARES DEPLOYMENT ESTIMATES • JCS REVIEWS COMMANDER'S ESTIMATE	• CJCS GIVES MILITARY ADVICE TO NCA • CJCS MAY PUBLISH PLANNING ORDER TO BEGIN EXECUTION PLANNING BEFORE FORMAL SELECTION OF COA BY NCA	• ADJUST JOPES DATABASE • IDENTIFY MOVEMENT REQUIREMENTS • IDENTIFY AND ASSIGN TASKS TO UNITS • CONVERT COA INTO OPORD & SUPPORTING OPORDs • RESOLVE SHORTFALLS AND LIMITATIONS • BEGIN INTENSITY SORTS REPORTING • JCS MONITOR OPORD DEV	• CJCS PUBLISHES EXECUTE ORDER BY AUTHORITY AND DIRECTION OF SECDEF • CINC EXECUTES OPORD • JOPES DATABASE MAINTAINED • JPEC REPORTS EXECUTION STATUS
OUTCOME					
• ASSESSMENT THAT EVENT MAY HAVE NATIONAL IMPLICATIONS • REPORT EVENT TO NCA/CJCS	• NCA/CJCS DECIDE TO DEVELOP MILITARY COA	• CINC PUBLISHES COMMANDER'S ESTIMATE WITH RECOMMENDED COA	• NCA SELECTS COA • CJCS PUBLISHES SELECTED COA IN ALERT ORDER	• CINC PUBLISHES OPORD	• CRISIS RESOLVED

Figure 3-3. Flow Diagram of the Crisis Action Procedures

LOGISTICS PREPARATION OF THE THEATER

Logistics preparation of the theater is a key tool available to a CINC or ASCC and their planners in building a flexible theater strategic operational support plan. It consists of the actions taken by logisticians at all echelons to optimize means -- force structure, resources, and strategic lift -- of logistically supporting an operations plan. These actions include identifying and preparing forward operating bases; selecting and improving LOC; projecting and preparing forward logistics bases; and forecasting and building operational stock assets forward and afloat. They focus on identifying the resources currently available in the theater for use by friendly forces and ensuring access to them. A detailed logistics estimate of requirements, tempered with logistics preparation of the theater, allows the command logistician to advise the commander of the most effective method of providing support that will not overwhelm the logistic system. See Figure 3-4, which illustrates the elements of the logistics preparation of the theater.

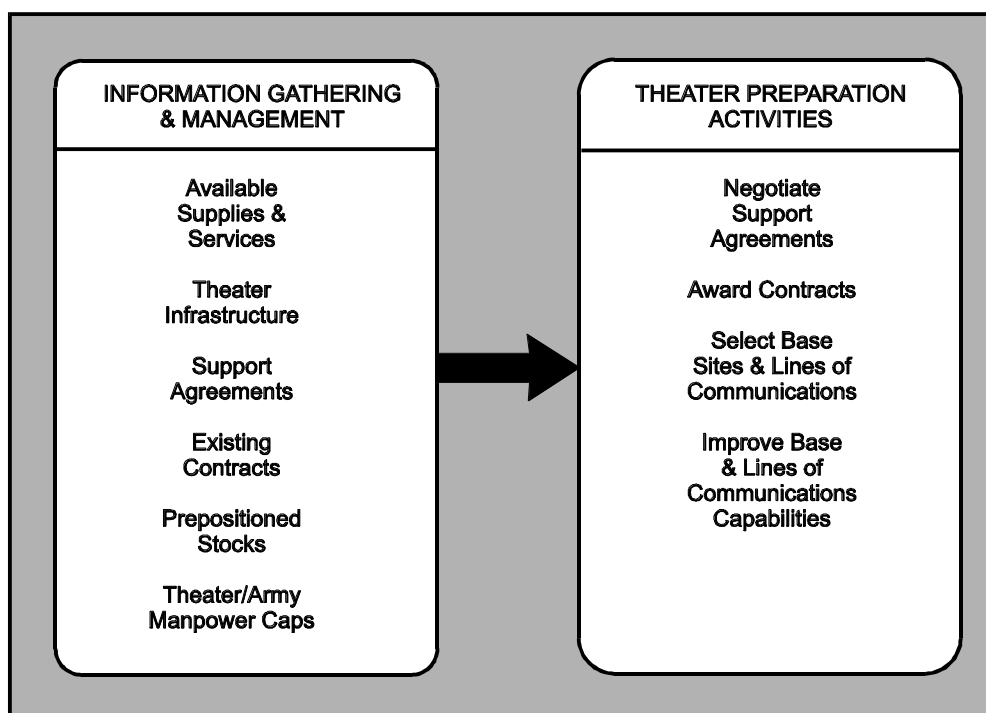


Figure 3-4. Elements of the Logistics Preparation of the Theater

Contracting personnel play an integral role in logistics preparation of the theater. Commanders, by including their contracting officers in mission planning from the outset, allow mission planners to leverage commercially available support to augment organic CSS capabilities. Contracting personnel identify commercially-available goods and services in or near the mission area, then help logistics planners determine how best to integrate those potential assets into their logistics concept of support. For example, contracting personnel might identify available commercial billeting and catering which planners can utilize to support

the theater RSO&I mission, allowing commanders to forego or delay transporting tentage, or Force Provider assets, saving critical airlift or sealift assets. Contracting personnel likewise inform the commander and staff of limitations of the local market, such as line-haul transportation, helping them avoid basing plans on false assumptions of what they might locally procure. Contingency contracting personnel often help logistics planners support deploying forces while organic CSS assets are themselves enroute to the operational area. Using this input, commanders better integrate organic CSS capabilities, available host nation support, contingency contracting, support contractors, and LOGCAP to support their soldiers and accomplish their mission.

SOURCES OF SUPPORT

CSS includes support rendered by service forces in providing supply, maintenance, transportation, health services, religious support, and other services required by units to accomplish their missions in combat. CSS encompasses activities at all levels of war that sustain operating forces on the battlefield. There are a number of CSS sources, ranging from organic support units to contractors, from which support may be obtained. The planning process identifies these sources and makes plans for their use. Described below are the most common sources of support. Commanders must work closely with their senior contracting officers, as well as the J5/G5/S5 for HNS, to integrate these diverse sources of support with the military supply system and develop an effective, efficient concept of support.

ORGANIC SUPPORT

The Army's force structure contains organizations that provide CSS for military operations. Initial consideration as a source of support is given to these units which are organic to the Army force structure. These include military units and civilian organizations staffed and equipped to perform a variety of support missions. Army organizations like the Army Service Component Command, TSC, COSCOM, DISCOM, the USACE or the USAMC, as well as DOD organizations such as USTRANSCOM, DLA, and AAFES are organic to the force structure found in a theater of operations.

MULTINATIONAL FORCES

Historically, CSS has been predominantly a national responsibility. Multinational commanders, however, are more frequently exercising their directive authority by having national commanders take on CSS missions supporting multinational forces. By doing so, multinational forces capitalize on the CSS strengths of individual members. We can expect that not only will our Army support forces of other nations, but that our forces will be receiving support from other national logistic systems.

HOST NATION SUPPORT

Host nation support is provided to allied forces and organizations located in or transiting through host nation territory, and includes civil and military assistance. This support can include assistance in almost every aspect required to sustain military operations within a theater. (See Appendix E for a brief discussion on the impact of international agreements on contracting.) Planners must consider that HNS meets local, not necessarily US standards. Commanders must consider additional support requirements generated by using HNS; for example, HNS provision of potable water may mean bulk water from a desalinization plant, not bottled water, which increases requirements for tankers and a distribution system.

The theater CINC, in coordination with the Service component commands, determines the types and levels of HNS that can be accepted without risk to overall mission accomplishment. Use of HNS should not degrade required US unilateral capability. HNS can be a significant resource provided it is available and that appropriate agreements are in place.

NONGOVERNMENT/PRIVATE VOLUNTEER ORGANIZATIONS

Joint Publication 3-07 describes nongovernmental organizations (NGO) as transnational organizations of private citizens that maintain a consultative status with the United Nations. They may be professional associations, foundations, multinational businesses, or simply groups with a common interest in humanitarian assistance (development and relief). The joint publication further describes PVOs as private, nonprofit humanitarian assistance organizations involved in development and relief activities, and states that the term private organization is often used synonymously with that of nongovernment organization. The PARC must consider the presence of NGO and PVO, their potential to compete with CCOs for scarce resources, and their knowledge of the region as a potential source of vendor information.

ACQUISITION AND CROSS-SERVICING AGREEMENTS

ACSA may provide either of two separate authorities, acquisition only authority and cross-servicing authority, which together form a bilateral support program. Acquisition only authority, allows the US to acquire goods and services from a designated nation, but does not require conclusion of an implementing arrangement or cross-servicing agreement. This authority doesn't allow the US to transfer goods and services to another nation. Cross-servicing authority allows the US to acquire goods and services from or transfer goods and services to a designated nation or international organization if an ACSA agreement has been concluded. The G4, legal, civil affairs and the local US Embassy advise commanders whether ACSA support is available, or will be made available to allied /coalition nations.

ASSISTANCE IN KIND

Assistance in kind is support in the form of goods and services provided by a foreign government without cost to the US. It may include, but is not limited to, buildings and facilities, utilities, communications, supplies and equipment, travel, transportation of things, and services of foreign national employees. This type of support is established through negotiated agreements and, when available, is coordinated through the G5/J5.

CONTRACTOR SUPPORT

Contractor support is obtained through contractual arrangement with US or foreign businesses. It bridges gaps that occur before sufficient organic support units or other resources arrive in the theater of operations. It is also a valuable source where no HNS agreement exists or where HNS agreements do not provide the needed supplies or services; it can augment existing support capabilities to provide a new source for critically needed supplies and services. Contractor support can also reduce dependence on the CONUS-based logistics system.

In an operational theater, three primary types of contractor support exist. They include theater support contractors, external support contractors, and systems contractors, discussed in greater detail in FM 100-XX, *Contractors on the Battlefield*.

Risk of Using Contractors

Commanders assume additional risk when using contractors in lieu of organic CSS assets to support mission requirements. The Army has used contractors throughout its history; such reliance on contractor personnel continues, and is likely to continue for future operations. Despite this, commanders must understand that contractor personnel aren't soldiers; they might refuse to deliver goods or services to potentially dangerous areas, or might refuse to enter a hostile area regardless of mission criticality.

Commanders and their staff must evaluate the most effective use of contractors, realizing that contractor support is not always the proper means to support the mission. Commanders evaluate mission criticality of the function, plus peacetime and wartime contract costs, when deciding to use contractor support.

The nature and degree of risk in any given operational area varies from mission to mission. Contingency contracting personnel carefully draft contracts and their support clauses to ensure contractors are aware of their increased risk. Costs habitually increase as the risk to contractor equipment and personnel increases. To mitigate this risk, commanders assume the responsibility to protect contractor personnel, as outlined in FM 100-XX.

Contracting

Contingency contracting provides support through contracts with US, host nation, or third country businesses or vendors, in support of contingency operations. It normally involves on-the-ground awarding of contracts as the contingency operation unfolds, by contracting organizations of the deploying commands. While it is a viable source of support, battlefield contracting should be used to supplement, not replace the existing supply system or organic support. During the initial weeks of a contingency operation, contingency contracting often provides much of the required life support and mission-related support until CSS units arrive in theater, or until the LOGCAP Umbrella Contract's contractor can establish operations in theater. FM 100-XX, addresses management of all contractor personnel in a theater. All contractors within the theater coordinate and maintain contact with the PARC, and operate IAW the commander's contracting support plan.

The LOGCAP umbrella contract is a special Army contracting concept that maintains, on a regional basis, a worldwide contract to support deployed Army forces. Activated upon approval of the Army DCSLOG, this contract is referred to as a contingency support contract because it's planned and managed like a support contract, but utilized only in support of contingency operations. Managed by USAMC, LOGCAP authorizes commanders to pre-plan for contracting support and include contingency clauses in existing contracts for services and engineering or construction related support. It allows the swift acquisition of contracted CSS required in a contingency, and may allow a commander to minimize the number of military personnel required in theater. During the initial weeks of contingency operations, LOGCAP can deploy into theater within 72 hours of the Procuring Contracting Officer's notice to proceed (NTP). LOGCAP's EEM can provide full force support while the deployed force establishes CSS and HNS capabilities.

The goals of LOGCAP are to:

- Plan during peacetime for effective use of contractor support in a contingency.
- Leverage global/regional corporate resources as facility and logistic services support multipliers.
- Provide an alternative augmentation capability to meet facility and logistics services shortfalls.
- Provide a quick reaction to contingency requirements.

LOGCAP is primarily used in areas where no multilateral or bilateral agreements or treaties exist. It is intended for use when contractor support can be an effective, expeditious, or cost effective method to augment organic CS/CSS capabilities. Even then, commanders should consider using their organic CS/CSS capabilities and contingency contracting to reduce LOGCAP costs. USAMC, through its contracting officers with PM LOGCAP, executes the LOGCAP

contract based on mission requirements of the supported commander. Generally, USAMC delegates administration contracting officer authority for execution of the LOGCAP Umbrella Support contract to DCMC for support services, and to the USACE for construction services.

Other Services have programs similar to LOGCAP, the Air Force Contract Augmentation Program (AFCAP) and the Navy's emergency Construction Capabilities Program (CONCAP). This manual contains additional information on these programs at Appendix A for LOGCAP, Appendix B for AFCAP, and Appendix C for CONCAP.

FUNDING CONTRACTED SUPPORT

Commanders must have available funding from the proper appropriations so that supplies and services can be purchased, rented, or leased from commercial sources. CCOs and RMOs advise commanders what appropriations they need to execute their concept of support and contracting support plan.

Throughout any operation, contracting personnel are required to rapidly contract for a variety of critical supplies and services. In order for them to accomplish their mission, funds from a variety of sources must be available and must be properly used. Units and activities requesting contracting support must obtain funding prior to submitting their requests for support. This is accomplished through the respective command comptrollers and resource managers, who are the focal points for all issues concerning funding availability and management.

BASIC FISCAL CONTROLS

Comptrollers and resource managers are a command's specialists for managing and controlling funds. They are the custodians of the funds appropriated to perform the mission. Comptrollers and resource managers practice basic fiscal controls on the appropriated funds in their care. These statutory controls of purpose, time, and amount, require that--

- Funds must be expended for the reasons they were made available; such as, funds for family housing can not be used to buy tanks (Purpose).
- Funds must be obligated during their period of availability for needs that arise during that period (Time).
- Funds should not be expended in excess of the amount authorized (Amount).

Activities requesting contracting support must coordinate their requests with their respective resource management offices to ensure that funds, meeting the basic fiscal controls, are available to support their request. Contracting support elements do not possess funds for the requests that they receive, and cannot award a contract until the purchase order has sufficient certified funding

available. For this reason, commanders and staff planners must ensure that during the planning process, funding sources to support identified requirements for contracting support are identified and earmarked.

FUNDING SOURCES

Funding for contingency operations comes from a variety of sources, both within and beyond DOD appropriations. The comptroller and resource management personnel understand the purpose and limitations of funds and ensure that expenses are incurred properly and legally. Commanders require various appropriations, including Operations and Maintenance, Army (OMA) for supplies and services, Other Procurement, Army (OPA) for capital equipment purchases, Open allotments for commercial feeding or ration supplements, ERC for DOD construction missions nominated by the Department of State, and Humanitarian Civic Assistance for DOD-assigned humanitarian civic assistance missions. Figure 3-5, summarizes the major contingency operation funding sources.

O&M Funding Authorities	
• General	10 USC 2241(a)(6)
• Feed & Forage Act	41 USC 11
• Secretarial Emergency and Extraordinary Expenses Fund	10 USC 127
• CINC Initiative Fund	10 USC 166(a)
• Humanitarian and Civic Assistance	10 USC 401
MIL CON Funding Authorities	
• Military Construction, Army	10 USC 2802
• Unspecified Minor Military Construction	10 USC 2805(a) & (c)
• Emergency Construction Authority	10 USC 2803-2808
Other US Funding Authorities	
• Arms Export Control Act (State Dept)	22 USC 2751-2796
• Foreign Assistance Act (State Dept)	22 USC 2151-2430
• Defense Emergency Response Fund	Public Law 101-165
• Stafford Act (FEMA Reimbursement) (CONUS only)	42 USC 5121-5203
• Economy Act	31 USC 1535
• Equipment Procurement	31 USC 1535
Foreign Country Funding Authorities	
• Section 607, Foreign Assistance Act	22 USC 2357
• Section 7, United Nations Participation Act	22 USC 287d-1
• Acquisition Cross-Service Agreements	USC 2341-2350

Figure 3-5. Contingency Operations Funding Sources

CONTRACT FUNDING

During contingency operations, the Army funds operations supporting ASCC missions. The Army usually funds emergency requirements for its forces with available unit funds until additional guidance and funds are allocated.

DOD policy requires that all contracts be fully funded, which means that at the time of contract award, funds are available to cover the total estimated cost of the contract. Regardless of the funding source, the resource manager ensures adequate funds are available to pay for the requested supplies or services. This

is normally done through fund certification officers at the requiring activity level. The funds certification officer works closely with the contracting officer to ensure that funds are appropriate, valid, and sufficient.

FORWARD FINANCE SUPPORT REQUIREMENT

Finance support of contracting is required in a theater of operations to provide timely commercial vendor and contract payments. While an increasing amount of finance support is provided through split-base operations from CONUS or out-of-theater locations, forward finance support is needed to pay local vendors for supplies and services they provide. Deployed finance units are necessary from the initial entry of forces until all forces have redeployed, providing tailored support for the full range of contracting operations. Whether finance EEMs or complete units, contracting personnel need finance support to award contracts, pay vendors, and close out those contracts.

FINANCE COMMAND EARLY ENTRY MODULE

An EEM from the TSC's Finance Command accompanies the first contracting personnel into a theater. This EEM provides financial management and contract payment support necessary to complete initial contracting actions required when or before the lead forces arrive. This Finance Command EEM, tailored to fit specific mission requirements, consists of at least five members. The Finance Command EEM accompanies the contingency contracting EEM, habitually as part of the TSC's EEM.

FUNDING AND CONTROL OF PAYING AGENTS

Commanders nominate personnel to serve as paying agents; Finance Officers then train and appoint these personnel to make cash payments to vendors for goods and services locally procured by contracting personnel or ordering officers. Finance elements provide funds to paying agents in accordance with fund certification provided by the commander's RMO for specific contracting actions. Paying agents' appointment orders, specific training and instructions by the Finance Officer, and established accounting procedures strictly control pay agents' activities. Commanders ensure their paying agents comply with these controls, and that subordinate leaders don't pressure paying agents to bend the rules to support their missions. Paying agents can be held personally liable for any disbursement not in accordance with their appointment orders or instructions.

COST CAPTURING

Funding used to pay for contracts supporting operations must be strictly accounted for. Resource management, finance and contracting personnel, including ordering officers, paying agents and IMPAC personnel, follow

established procedures for capturing costs associated with all procurement actions. Commanders must ensure their personnel establish and strictly follow accounting methods to track the commitment, obligation and disbursement of funds to ensure sufficient funds exist to support contracted requirements.

CONTRACTING SUPPORT PLAN

A contracting support plan is the mechanism for planning the contracting support for a military operation. It begins at the senior theater command and is included at each successive lower level. Figure 3-6 illustrates where contract support planning fits in the planning process.

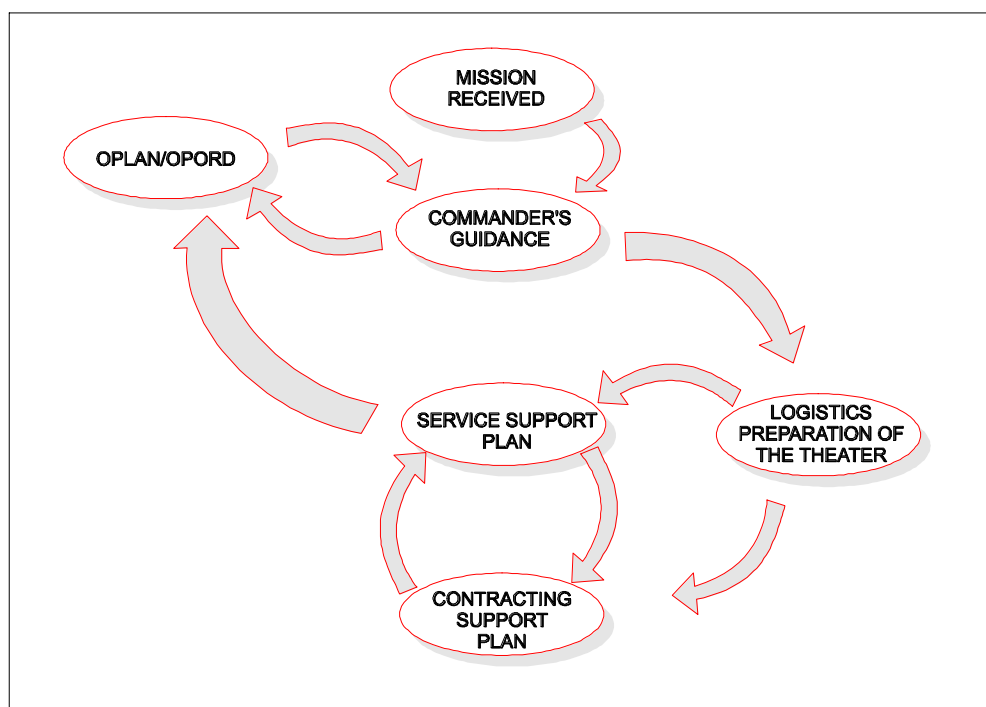


Figure 3-6. Contract Support Planning

PURPOSE

The contracting support plan ensures that contracting personnel conduct advance planning, preparation, and coordination to support deployed forces, and that contracting plans and procedures are known and included in overall plans for an operation. It ensures contracting plans and procedures are implemented, reviewed, and carried out in response to: support of deployed US or allied forces; rapid deployment support; and humanitarian support and disaster relief efforts. It must be an integral part of both the deliberate and crisis action planning process, and should be included in all OPLANS as an appendix to the logistics annex.

Because of the role that contracting support plays in supporting military operations, it is essential that contracting personnel be involved in the planning process at every level. The lack of a current, staffed, and understood contracting support plan can seriously hinder an operation. Prudent commanders will insist that their OPLANS and OPORDS contain detailed contracting appendices.

CONSIDERATIONS

The logistics annex to the OPLAN or OPORD coordinates organic CS and CSS assets, HNS, contracting and LOGCAP, ensuring seamless support for deployed forces. Contracting support plans integrate contracting into this logistics concept of support, ensuring HNS, contingency contracting, and LOGCAP are properly included and time-sequenced in all support planning. This helps guard against inter- and intra-service competition for the same resources. As a rule, the plan should consider the following:

- Contracting support to the supported units.
- Planning for contract requirements established by the units supported under various contingencies.
- Designating, deploying, and augmenting contracting elements and finance units.
- Articulating contracting procedures, authorities, and deviations.
- Developing, maintaining, and using contracting support kits tailored for as many deployment locations and situations as possible.
- Establishing guidelines for appointing, managing and terminating contracting officers, ordering officers, and contracting officers' representatives during contingencies.
- Contracting participation in site surveys, exercises, and pre-deployment training.
- Ensuring that contracting, resource management, and finance support are included in contingency OPLANS.
- Conducting market surveys to identify available commercial supplies, services and equipment in the mission area, then advising the commander and logistics planners how contingency contracting can best support the mission.
- Locating contingency contracting offices in close proximity to the local vendor base.
- Addressing DCMC's role in administering contracts, as applicable.

- Addressing DCMC's and the USACE's respective roles in administering the LOGCAP Umbrella Support Contract in-theater.

CONTENT

The specific content of a contracting support plan varies with each operation to be supported. Certain basic elements in any plan should include--

- Command and control relationships.
- Location and structure of the contracting elements in the theater, to include a list of units and activities that will be supported by each.
- Types of supplies, services, and construction capabilities commercially available within the mission area.
- A list of special prioritization or control measures that apply for scarce commodities or services.
- Concept of contracting operations which is phased and synchronized with the supported plan.
- Procedures for legal review.
- Description and assessment of HNS agreements, customs, laws, culture, language, religion, and business practices which impact on contracting operations.
- Specific statutory/regulatory constraints or exemptions that apply to the supported operation.
- Procedures for defining, validating, processing and satisfying supported unit requirements.
- Procedures for budgeting and making payments to contractors and vendors.
- Procedures for appointing, training, and employing ordering officers, contracting officer representatives, paying agents, and GCPC holders.
- Manpower, equipment and supplies required for contracting support and the deployment sequence.
- Procedures for closing out contracting operations and redeployment.
- Security requirements and procedures for contracting and contractor personnel.

An example of a contracting support plan is found at Appendix D.

CONTRACTING SUPPORT KITS

In order for contracting support elements to meet the support demands placed on them in a contingency environment, they must have supplies and support equipment to do their job. As part of their planning, contracting elements prepare and maintain contracting support kits. These kits contain required regulations, forms, general supplies, and equipment to support a contracting office for a pre-determined time at a remote location. In addition to the necessary supplies and equipment, CCOs develop and maintain a database for potential deployment locations. Upon deployment, the contracting support element carries a combination of the basic kit and the specific database for the deployment area. Appendix F of the Army Federal Acquisition Regulation Supplement Manual #2, contains a detailed listing of recommended forms and equipment to be included in the contracting support kit.

A key ingredient of the contracting support kit, and one that is often overlooked, is currency. Contracting Officers usually require local currency to pay host nation vendors; use of US currency may require a status of forces agreement with the host nation. Although maintaining actual on-hand quantities of foreign currency is not usually appropriate, procedures to quickly obtain it should be included in the contracting support plan and on the support kit checklist. Finance personnel or paying agents with US and local currencies must deploy with CCOs.

TRAINING CONSIDERATIONS

Contingency contracting, as a support concept, must be embedded in the Army's training hierarchy. As the use of contracting for obtaining supplies and services grows, individuals involved in its planning and execution must be adequately trained to effectively perform their duties. During planning at all levels, the following training considerations should be made--

- Commanders and staff planners must be familiar with the capabilities of contingency contracting so that operational plans include contracting support as a useful and viable support option, and that contracting personnel are included as participants in the planning process.
- In addition to the formal technical training that they receive, contracting personnel must be included in training exercises and other collective training events so that they can develop their mobilization and general military skills. Rotation with maneuver forces to training sites for exercises should be part of the on going peacetime activity for contracting personnel. Contracting activities should be written into exercise scenarios for training.
- Ordering officers, contracting officer representatives, and other non-contracting support personnel drawn from the units and activities being supported, must be identified prior to deployment so that they can receive

the training required to perform their duties, and receive formal appointment orders from the HCA or the HCA's designee.

DETERMINING OPERATIONAL SUPPORT REQUIREMENTS

Commanders and their staff play key roles in planning contracting support on the battlefield by determining their operational requirements. During mission planning, the staff estimates requirements to support the concept of operations. Once support requirements are identified, the staff determines whether organic CSS assets can meet those requirements. HNS, contingency contracting and LOGCAP provide the commander tools to augment his organic CSS capabilities and offset potential support shortfalls. The PARC, as the commander's acquisition expert, advises him on planning and integrating these tools into the logistics concept of support.

Requirements projected by the staff's planning estimates allow contingency contracting personnel to effect their mission planning. Contracting personnel conduct market surveys of the mission area to determine the availability, quantity and quality of local commercial support, then advise the commander on how those goods and services can best supplement available CSS assets. Contracting personnel coordinate with general supply officers at US Embassies, plus existing Defense Department contracting offices in or near the mission area, to determine sources of required or anticipated support, and locate potential vendors. These vendors could be in the mission area, in other surrounding areas, or in the domestic marketplace. The PARC determines, based on required and anticipated support and the available vendor base, where to establish contracting offices. Contracting personnel establish and operate contracting offices in or near the local vendor base. Based on this, the PARC publishes a theater/mission contracting support plan, incorporating it as an appendix to the logistics annex of the OPLAN or OPORD. During this process, the PARC considers whether to consolidate available contingency contracting personnel due to a concentrated vendor base, or to have corps and division contracting sections operate within their units' area of responsibility, serving as area procurement offices under his procurement authority.

The appropriate MMC identifies, based on its asset visibility, which requirements the supply system can fulfill, and which need to be filled from other means, such as LOGCAP, HNS, contingency contracting, or by the commander establishing control measures such as priorities of support or controlled supply rates. In an operational theater, the ARB matches capabilities to requirements. In performing this function, the general order of priority for application of logistics capabilities is--

- US military forces, such as CS and CSS units.
- CS/CSS units of allied forces.
- Host nation capabilities

- US contingency contracting officers awarding contracts.
- Use of umbrella CS/CSS contracts such as LOGCAP, AFCAP or CONCAP.

There is no "cookie-cutter" method for determining the proper source of support for any given requirement. Determining the best support option is an involved process that considers factors that vary from operation to operation. As a general rule, the above priorities are followed when they can provide the support needed within the timeframe allowed. During operations, the urgency of the required support tempts commanders to change these priorities and to prefer contracting because they perceive that support to be faster. They should avoid doing so, instead looking at all the tools available to support their forces and choosing the one most capable of doing the job. The ARB helps the commander make this choice. For limited missions with smaller forces, the commander may designate the senior logistician, executive officer, or chief of staff to validate requirements and determine how those requirements should be met. When evaluating from which source a requirement should be obtained, the following attributes of contracting should be considered--

- Contracting bridges gaps that may occur before organic support can be mobilized, and in some cases will be necessary for the duration of the contingency.
- Contracting is a valuable resource where no HNS agreements exist, or where agreements do not provide for the supplies or services required.
- Satisfying requirements for supplies and services by contracting for locally available resources can improve response time.
- Contracting from the local economy frees airlift and sealift assets for other priority needs.
- Contracting augments existing logistics support capabilities, providing additional sources of critically required supplies and services.
- Contracting provides commanders operating under strict force limits additional potential flexibility and capability.

AVAILABILITY OF FUNDING (RESOURCE MANAGEMENT)

Mission planners must address the issue of funding. Contracting personnel require upfront availability of funds before they can acquire supplies and services. Contracting officers can not procure any goods or services without certified funds in the proper amount from the correct appropriation. If funds are not available, contracting is not an option. Because of the need to fund upfront contractor support, planners must ensure the availability of funding of the correct types. Contracting planners review identified and anticipated requirements, then recommend, together with the RMO, what types of funding

(e.g. - OMA for expendable supplies and services, OPA for capital equipment purchases or leases, DA Open Allotment for ration supplements) the mission requires. Contracting personnel often deploy with bulk funding, funding pre-certified by resource managers in specific amounts for each appropriation.

SUPPORT TO CONTRACTORS

As discussed earlier, planners must consider support the Army routinely provides, in the form of government-furnished equipment or material, to contractors to enable them to perform and to minimize costs. Items acquired by a contractor are sometimes more expensive or not readily available. In the past, the Army required contractors to support their own personnel, unless directed otherwise by the contract. As the use of contractors in contingency situations increases, the Army assumes increasing responsibility to feed, house, equip and protect contractor employees operating on the battlefield, including pre-deployment training and TPFFD. For the Army's policy on supporting contractors on the battlefield, refer to Appendix F.

LEGAL/JURISDICTIONAL AUTHORITY

Contractual documents provide the legal basis for the relationship between the Army and a contractor. They specify the terms and conditions under which the contractor is expected to perform, and identify the support relationship between the contractor and the Army. When arranging contractor support, it is necessary to specify in the contracts themselves what the support relationship will be. This informs the contractor what the Army will provide, if anything, and what the contractor is expected to handle. Commanders cannot direct contractors to provide any goods or services; only contracting officers and CORs have the legal authority to direct contractors to perform work within the scope of their contract. Only Contracting Officers have the authority to change the contractor's scope of work by modifying the contract.

Commanders bear responsibility for activities that take place within their AOs. These responsibilities extend to contractors on the battlefield as well, and include security to contractor personnel and operations, and supporting the physical and spiritual quality of life for the contractor's workforce. When planning for the use of contractor support, the matter of support to contractors must be considered, and a determination made as to what support must be provided and who will provide it. When the Army provides support, those additional requirements must be planned for and resources identified. The contracting support plan is the mechanism for accomplishing this.

SECURITY REQUIREMENTS

The nature of the contingency operation determines security requirements for contractors' operation and personnel. Even humanitarian operations require

security arrangements. As the likelihood of hostilities increases, contractor security needs likewise increase.

Provisions of the law of war do not consider contractor personnel and DOD civilians as combatants. Contractor and DOD civilian personnel should be issued identification cards that correctly identify them as civilians accompanying an armed force to facilitate their movement and dictate the type of treatment they should be rendered if captured. Commanders must provide security to contractors that support their operations, or eliminate the use of contractor support as an option in areas where security becomes an issue. AR 715-XX and FM 100-XX, both entitled *Contractors on the Battlefield*, address this in greater detail.

Army contingency contracting personnel operating on the battlefield face unique security challenges. The nature of their mission requires them to operate in or near the local vendor base, often working in civilian clothes among the local populace. Mission planners must consider the impact of force protection measures, such as base access requirements for vendor personnel, multiple-vehicle travel requirements, on the ability of contracting personnel to acquire and deliver required goods and services. The PARC and senior contracting officers advise commanders and planners how to best mitigate the force protection challenges without jeopardizing the effectiveness of contingency contracting personnel. Commanders assume additional risk to allow these soldiers to properly perform their assigned tasks.

BILLETING

Contractor personnel, depending on the nature of the supplies or services they are providing, may be required to live under field conditions. When this is required, certain minimum standards should be established so that an acceptable quality of life is maintained. As with other related issues, it is normally the contractor's responsibility to provide for his personnel. However, in those situations when contracting support is being provided in an area where a civilian support infrastructure is not present, the Army may be required to furnish such support. As with other types of Army furnished support, upfront planning to identify requirements and resources is essential.

Army contingency contracting personnel establish contracting operations with or near the local vendor base. These personnel reside, unless force protection requirements mandate differently, in those same locales. AFARS Manual #2, *Contingency Contracting*, advises contingency contracting personnel to establish contracting functions in a hotel, offering telecommunication, meeting areas familiar to the local vendor base, security, and self-contained office, sleeping and dining facilities, located with or near the vendor base.

DEPLOYMENT

Effective use of contracting support requires that contracting elements or portions of them be among the earliest to arrive in the operational theater.

During the planning process, commanders must ensure they include contracting elements, including RMO, finance, legal, PBO, as well as USACE CREST and other specialized contracting personnel, in the TPFDD process. Deployment of contracting elements requires the coordination of all levels of command to ensure that they are properly sequenced in the arrival flow. The operational situation influences when contracting personnel deploy. In contingency scenarios, commanders must consider two factors when planning the deployment of contingency contracting personnel. First, normal business functions conducive to contracting may not exist in the mission area itself during opposed entry situations, at least until some semblance of public order is reestablished. Second, contracting personnel deploying in the EEM procure available goods and services from the local economy, easing the burden on available strategic lift. Between these extremes, commanders plan the deployment and build up of contracting elements as required by the mission. As a general rule, however, commanders should deploy contracting personnel as early as possible into the mission area. The PARC advises them on where and when to deploy contracting assets.

CONTRACTING ORGANIZATIONS AND INDIVIDUALS

Contracting organizations organic to various Army commands involved in the operation provide contracting support for deployed forces in accordance with the PARC's contracting support plan. Timing of their arrival into the operational theater is critical to the success of the support they are tasked to provide. When conducting operational planning, including contracting elements, and their supporting resource management, finance, PBO and legal functional slices, as a separate element in the TPFDD is necessary to ensure they arrive when needed. Contracting teams deploy as early as possible with required RMO, finance, legal and PBO support to establish contracting operations and support deployed forces from the local economy.

As with most deployments, contracting elements normally employ the use of an advance party, EEM or contracting FAST to arrive ahead of the main deployment force to establish contracting support and respond to initial requirements. The EEM's first contracts will procure office and living space, office equipment and furniture, transportation and communications required to establish and sustain contracting operations. As the deployment evolves, the remainder of the contracting elements arrive and assume the expanding contracting support mission.

While ensuring that contracting elements are identified and included in the deployment sequence is important, identifying and preparing those elements and their personnel is equally as important. Contracting element planning actions must ensure that organizations and individuals are prepared for deployment and that their sequence in the deployment is established. Not only military personnel, but also assigned government civilian personnel must be prepared to deploy. DA Pamphlet 690-47, *DA Civilian Employee Deployment Guide*, provides the guidance for the deployment of civilians.

CONTRACTORS

Depending on the contingency operation, contractors may be required to deploy with the units/activities that they support. Normally this involves US contractors operating in CONUS, but in some circumstances, may also include US contractors operating OCONUS as well as foreign contractors who employ US citizens. If deployment is involved, the contract arranging the supplies or services will include it as a contract requirement and provide the necessary guidance on how the contractor will deploy his employees. DA Pamphlet 715-16, *Contractor Deployment Guide*, identifies the policies and procedures that affect the overseas deployment of contractor personnel.

RELIGIOUS SUPPORT

Commanders provide religious support for all personnel, including contractors. This support includes rites, sacraments, pastoral care, and religious education support.

FINANCE

Finance services sustain contracting operations by providing commercial vendor and contractor payments, pay and disbursing services, and essential accounting functions. Finance units support deployed Army forces by the timely and accurate payment for local procurement of supplies and services. They provide the checks and currencies to support contracting actions, and ensure that administrative and accounting procedures governing the disbursement of public funds are adequate, and assure responsive field finance support to the contracting effort. Finance personnel supporting contingency contracting concentrate on rapid payment of local vendors, many of who require immediate payment due to limited cash flow. Most contractual actions during the initial weeks of a mission occur on a cash-and-carry basis, with vendor payment by check or other monetary instrument occurring as the mission support infrastructure matures.

HOST NATION CONSIDERATIONS

Financial support within a theater of operations depends to a degree on the financial infrastructure of the host nation, or the willingness of the host nation to provide local banking and financial services. When planning financial support for a contingency operation, the capability and willingness of the host nation to support financial activities must be analyzed. The primary requirement for support from a host nation is in providing a source for local currency and banking services required to transfer funds and to support the many contract arrangements with local sources.

Chapter 4

Obtaining Contracting Support

"I don't know what the hell this 'logistics' is that Marshall is always talking about, but I want some of it."

Fleet Admiral E.J. King
To a Staff Officer, 1942

Obtaining supplies and services through contracting support is a relatively simple process once the decision has been made to use contracting. Commanders include instructions outlining how subordinate units request and receive support, including that procured from commercial sources, in the support annexes of their OPLANS and OPORDS. These plans include a contracting appendix describing how deployed forces request and receive contingency contracting support. When the military support channels cannot provide the required support within the required timeframe, or do not have the capability to satisfy the request, contingency contracting, HNS or LOGCAP support may be a viable source of support.

IDENTIFYING SUPPORT REQUIREMENTS

Timely and proper planning of support requirements by the unit determines the adequacy of the support provided. Because the nature of contingency operations vary, units must study and evaluate higher headquarters plans and staff estimates, and identify their support requirements during the military decision making process, for a particular contingency operation. At this point, planners concern themselves with what they need, not who will provide it. Once identified, these requirements are included in support plans, and the appropriate sources to satisfy requirements are determined.

DETERMINING THE SOURCE OF SUPPORT

Determining whether or not to use contracting support starts during the planning process, when support requirements are identified for a particular operation. As planners match up requirements with capabilities, they determine if the normal supply system or organic support can provide the support requested. If it can, then the requirement is passed to the appropriate support unit; if not, the review continues to determine if other sources of support, such as contingency contracting, HNS or LOGCAP, are available and can meet the

requirement. The review process selects the source that best meets the requirement. When other sources are not available or cannot meet the requirement within the timeframe required, and funding is available, contracting support may be selected. Figure 4-1 describes the decision process involved in determining if contracting support should be used. This decision cycle need not be lengthy or bureaucratic. The appropriate MMC maintains asset visibility through such automated means as Standard Army Retail Supply System – Objective (SARSS-O), or the emerging Global Combat Support System - Army (GCSS-A), allowing it to quickly identify whether a requirement needs to be resourced from sources other than the military supply system. CCOs anticipate mission requirements, identify potential vendor sources, and advise commanders and logisticians of commercially available support to augment the supply system.

PROCESSING REQUESTS FOR SUPPORT

Requests for support follow established procedures and processing guidelines. For supply requirements, requests are submitted on the appropriate supply request forms, or with an automated system, through normal supply channels, and are filled at the first level of support having the capability. If a lower level is unable to fill the requirement, it is passed on to the next level, and continues until it can be satisfied. When a request cannot be satisfied through the normal supply system, it may be satisfied through contracting support.

Service requirements are requested through the appropriate functional staff proponent as indicated below--

- G1 approves requests for civilian labor (US and non-US) and morale support activities.
- G2 approves requests for intelligence support.
- G3 approves requests for the lease of real estate by the USACE. Public law reserves authority to purchase or lease real estate and real property to the USACE.
- G4 approves requests for the purchase of all supplies and services not the responsibility of another staff proponent. The appropriate MMC maintains supply visibility throughout the force and the wholesale supply system, and advises the G4 when shortfalls exist that require resourcing by other means, such as HNS, LOGCAP or contingency contracting.
- G5, in conjunction with the functional staff proponents, facilitates the coordination of HNS. Requirements that can be satisfied through a HNS agreement are not considered further for contracting support.

- G6 approves requests for the purchase or lease of automation equipment, tactical radios, pagers, photocopiers, cellular phones and airtime, and tactical facsimiles.

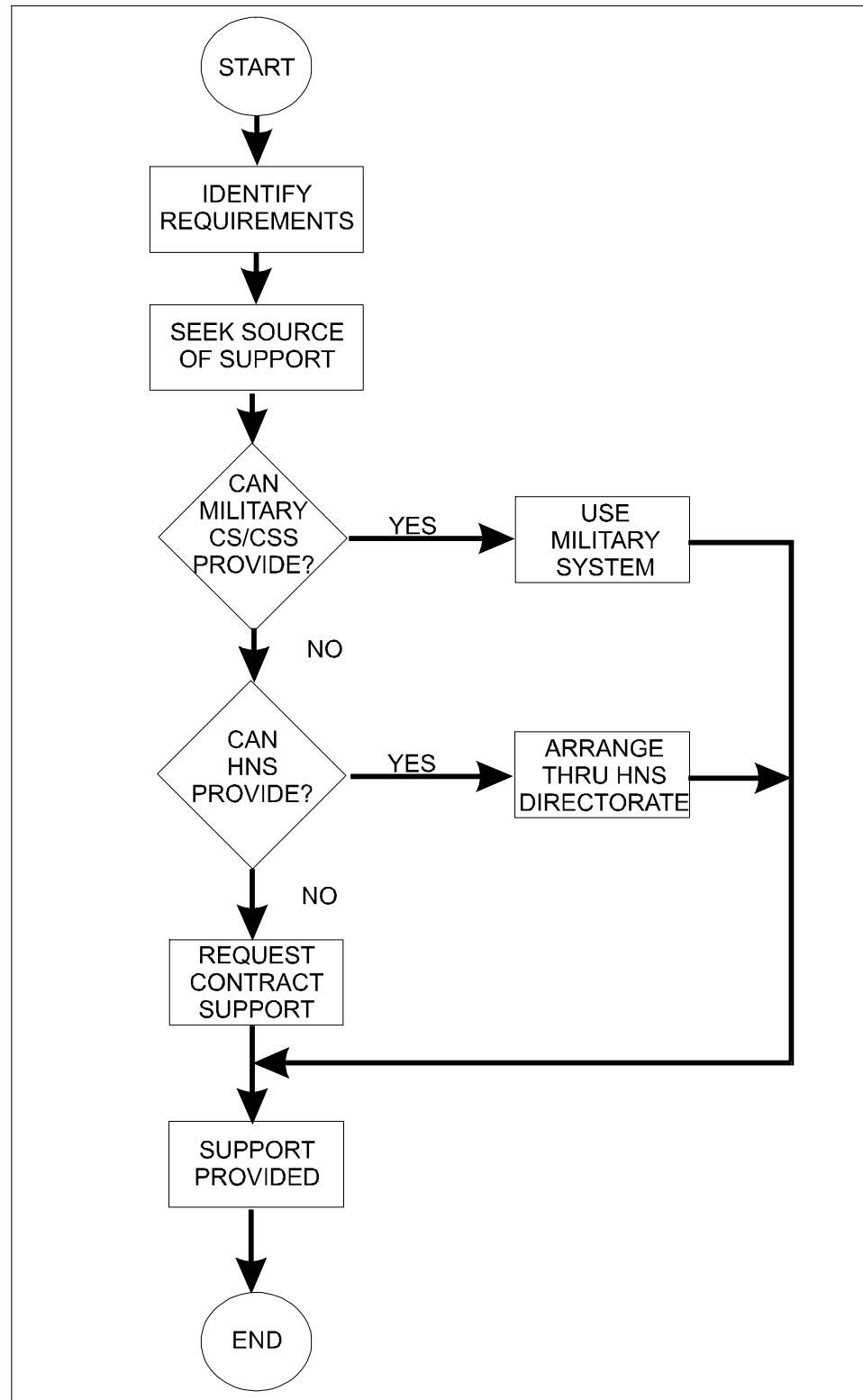


Figure 4-1. Deciding to Use Contracting Support

- The staff engineer coordinates the purchase or lease of facilities for Army forces in theater.

As with supply requests, a request for services is satisfied at the first level having the capability. If it cannot be satisfied at one level it is passed on to the next, and continues on until it can be satisfied. When a request cannot be satisfied through organic support, contingency contracting, HNS, or LOGCAP may be able to do so. Figure 4-2 describes the typical flow of a request for services.

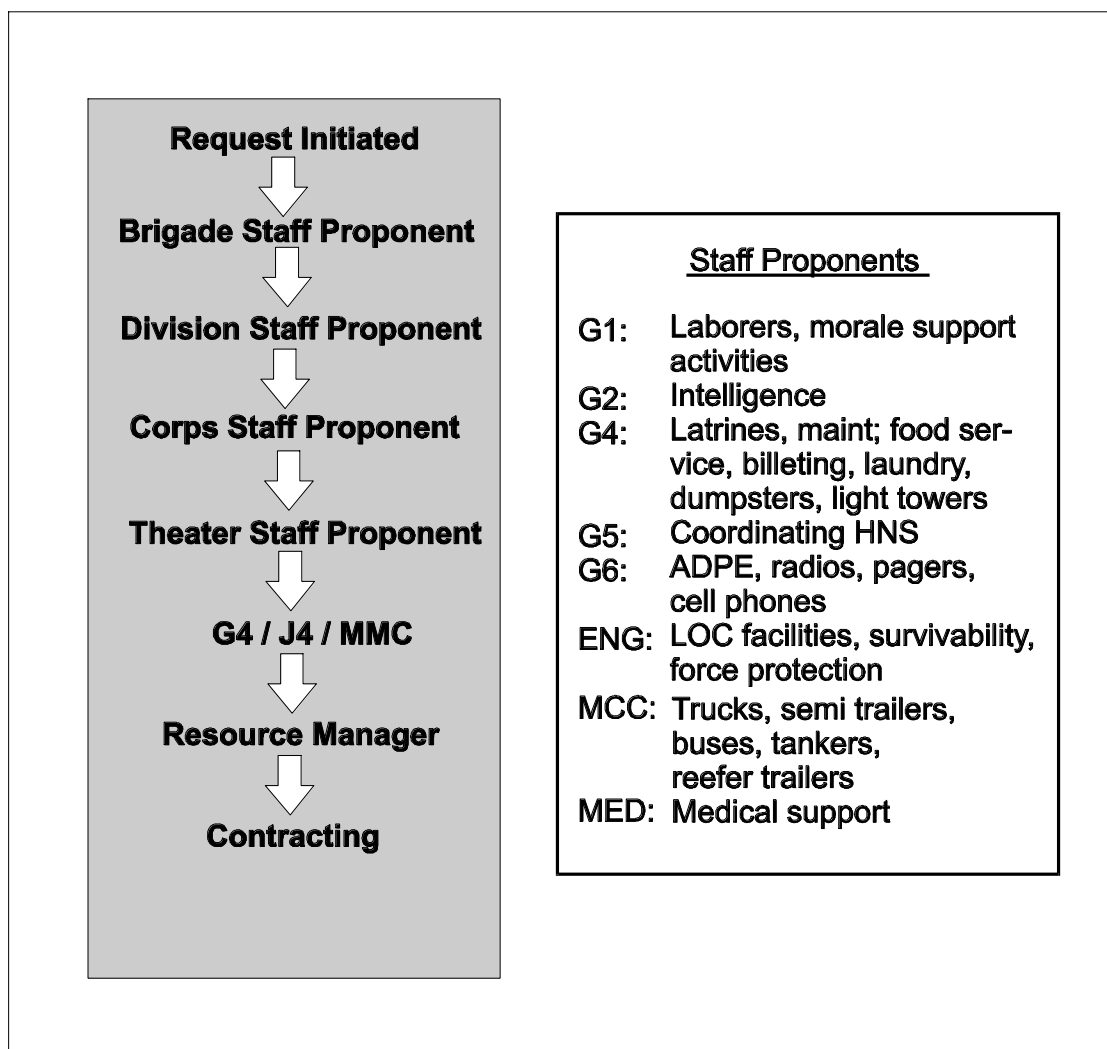


Figure 4-2. Acquiring Services

For the purposes of this manual, requests for support generally are processed as described below, although some processing steps and requirements may be adapted to the operational environment.

UNIT OR REQUIRING ACTIVITY

The unit or requiring activity is the initiation point for any request. Either through operational planning when initial requirements are identified, or during an operation when a new requirement arises, the unit must initiate the action. Commodity managers in the MMC often identify mission requirements that can't be met by the organic CSS structure or the military supply system. Under the concept of anticipatory logistics, these commodity managers often prepare purchase requests to initiate local procurements to meet those requirements exceeding the capability of the military support infrastructure. Experienced contingency contracting personnel advise commanders, during the planning process, of goods and services they habitually provide deploying forces, such as bottled water, Class IV supplies, or trash and field sanitation services, and inform those commanders what they require from other staff sections for that support to be effective. For example, the staff engineer plans field sanitation and trash disposal, and the Provost Marshal plans base access for contractor personnel.

DIVISION

Once a request is initiated, it flows either through the unit's support battalion (supply request) or brigade level staff (service request), to the division materiel management center (DMMC) or the functional staff proponent for action. The key action at division level is to determine if the request can be supported with division assets. If the request cannot be supported at division level, it is forwarded to corps level for further processing. If the division is the highest level ground force, the DMMC or functional staff proponent determines if local purchase is needed to fulfill the requirement.

CORPS

Processing a support request at the corps level is similar to that at division. The corps is responsible for processing requests from all divisions and non-divisional units within the corps area. Once the corps materiel management center (CMMC) or the responsible staff proponent takes action, the request is forwarded to the appropriate corps support unit for action. If corps assets cannot honor the request, it is passed to the next higher echelon for further processing. When a corps acts as an ARFOR, the CMMC determines whether contingency contracting should fill a requirement for support.

EAC/COMMZ

At EAC/COMMZ, the TSC processes requests for all units in or passing through the COMMZ, and those forwarded from the corps. After processing by the TSC MMC or the appropriate staff proponent, the request is either sent to the

appropriate support unit for action, or to the supporting contracting element if the requirement is to be contracted.

ACQUISITION REVIEW BOARD

The CINC or senior commander at the highest level in the theater establishes an acquisition review board to review and approve support requests that are being considered for contracting. The ARB reviews contracting requests that exceed the dollar amount directed in the contracting appendix of the OPLAN or OPORD that fall within specified categories. The theater contracting support plan provides specific criteria for which requests must be submitted to the board. The board's purpose is to determine which requests should be approved and the priority in which they should be acted upon. Once approved, requests are forwarded to the supporting contracting element for action.

OTHER SERVICES AND COUNTRIES

In some contingency operations the contracting support plan directs that purchase requests for certain supplies or services be contracted for by another Service or an allied country participating in the operation. When this is the case, the purchase request is forwarded to the designated Service or country-contracting element for action. In most cases this action is transparent to the requesting unit because of the consolidation of contracting functions in a joint or multinational environment.

EXCEPTIONS

The contracting support plan for the particular contingency operation will specify the contracting support structure and support relationships for the theater. It will also establish priorities for support as directed by the J3/G3/S3, and at what level controlled supplies or services will be managed. Although the objective for obtaining support is to exhaust all normal supply system and organic support sources in the theater before considering contracting support, the operational environment may dictate that a complete search of the theater is not possible. Exceptions to processing flow described above can be established when expediency and responsiveness are essential. When the contracting support plan provides, certain support requests may be considered for contracting support without running the entire length of the theater system. In these cases, the responsible MMC or functional staff proponent forwards requests to the supporting contracting element.

TYPICAL CONTRACTING SUPPORT REQUIREMENTS

Because each operation's support requirements are different, it is difficult to identify those requirements that will normally be supported through contracting. Typical support obtained from commercial sources includes--

SUPPLY REQUIREMENTS

- Construction materials such as sand, gravel, sandbags, cement, pipes, valves, fittings, lumber, plywood, electrical parts, and plumbing supplies.
- Administrative items.
- Replacement parts for heavy construction equipment, vehicles, and common equipment (e.g., fans, ovens, heaters or air conditioners).
- Medical supplies such as bandages, gauze, splints, medicines, and medical equipment.
- Subsistence like water, potable ice, fresh fruits and vegetables, and bread. Subsistence items must have prior approval by the appropriate G4 and veterinarian staff before being purchased.

SERVICES AND CONSTRUCTION REQUIREMENTS

- Services typically include: billeting, facility rentals, nontactical vehicle rental and maintenance, commercial communications services, civilian labor, utilities, refuse collection, latrines, laundry, stevedore, shower/bath, and material handling equipment lease and repair.
- Construction requirements may include: paving, revetments, fences/barriers, temporary structures, and maintenance and repair of existing structures

PURCHASE REQUEST PREPARATION

Support requirements that are to be satisfied through contracting are initiated by the responsible activity through the use of a purchase request (DA Form 3953, Purchase Request and Commitment, or other valid purchase request form). The responsible activity may be the supply activity or functional staff proponent at the level where the decision to use contracting was made, or the requesting unit or activity. The purchase request contains--

- A detailed description of the supplies or services to be purchased.
- Certification that sufficient funds are available and the approval to use them.
- Approval by commanders, appropriate staff proponents, and supply personnel.
- A document number from the PBO.

Figure 4-3 describes the basic information needed in a purchase request.

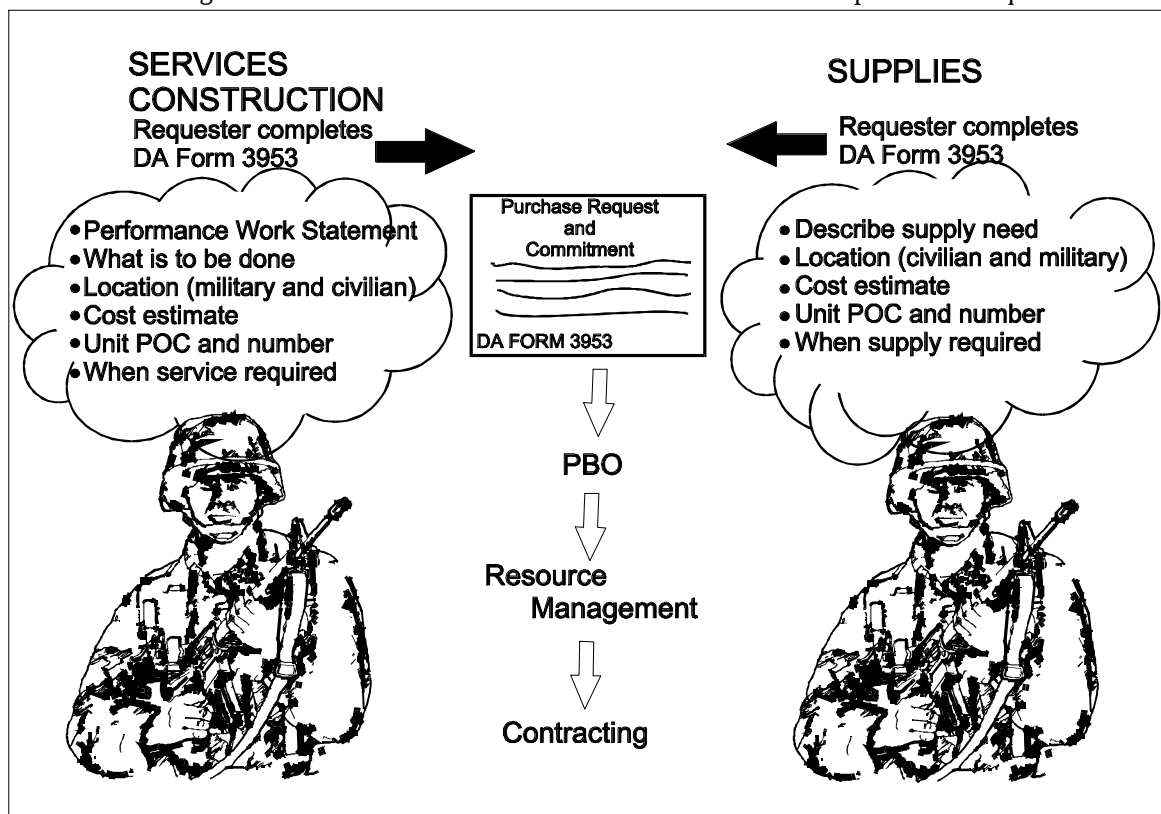


Figure 4-3. Purchase Request Requirements

Command operating procedures and the Army Federal Acquisition Regulation Supplement No. 2, *Contingency Contracting*, contain detailed procedures on how to complete the purchase request.

OBTAINING FUNDING

Funding for purchase requests is provided through the appropriate command resource management/comptroller office. As part of the purchase request process, the activity responsible for preparing the purchase request coordinates with its resource management or comptroller office to determine if funds are available. That office provides the necessary certification on the purchase request.

REQUIRING ACTIVITY RESPONSIBILITIES

Although contracting elements arrange for and acquire the supplies and services requested, the requiring activity identifies and describes, as specifically as possible, what is needed and when; and obtains the approvals and funding before the contracting element can perform its function.

The requiring activity, whether it is a TSC MMC, a corps G4, or the requesting unit, bears the initial burden of responsibility in obtaining needed supplies and services through contracting support. It is responsible for--

- Preparing the purchase request.
- Preparing an estimate of costs. This independent government estimate is based on realistic cost or price factors (goods, services or construction) or price factors (supplies) to support contract funding requirements.
- Preparing a performance work statement (PWS). The PWS describes the material, services, or construction requirements. The PWS also includes a quality surveillance plan, which specifies how the requesting unit will verify that it is getting what was requested.
- Obtaining needed approvals and funds certification.
- Providing a COR for services or minor construction projects. The USACE often provides COR personnel for major construction projects.

ACTIONS UPON RECEIPT OF SUPPLIES OR SERVICES

The governing contracting support plan specifies who is responsible for receiving supplies and services obtained through contracting support. When supplies are contracted for, either a designated central receiving point or the requesting unit/activity verifies that it receives what was requested. For services, the designated COR normally verifies that the service performed complies with the statement of work. Upon delivery of the supplies, or completion of the services or construction being performed, the verifying activity performs the following:

- Verifies that supplies fit the description and quantity requested.

- Verifies that services or construction meets the requirements of the statement of work.
- Signs and completes the receiving report so that the contractor can get paid.
- Informs the PBO when purchased or leased nonexpendable supplies or equipment have been received so that property accountability can be established. The PBO establishes and maintains property accountability for nonexpendable supplies and equipment bought or leased by contingency contracting personnel.
- Maintains property accountability for purchased and leased supplies, equipment and facilities.
- Performs required operator and unit maintenance and provides physical security for leased equipment and facilities.

Appendix A

Scope of the Logistics Civil Augmentation Program

The guiding principal of LOGCAP is to preplan for use of global corporate resources as an alternative in support of contingency operations and to augment CS and CSS force structures when identified shortfalls exist. Geographic MACOMs determine what form of LOGCAP is most appropriate for their specific theater. Potential LOGCAP actions include awarding contracts for use during contingencies, or including contingency clauses in peacetime contracts. The Army's Umbrella LOGCAP contract is only one part of the overall program.

The Army's Umbrella LOGCAP contract (USAMC Support contract), managed and administered by USAMC, is a special contingency contracting program that provides for maintaining, on a multiregional basis, a worldwide contract. It allows the swift acquisition of contract CS and CSS required in a contingency.

The basic scope of USAMC's Umbrella contract is for a previously selected contractor to plan for, and when called upon, provide needed construction and services worldwide. The planning requirement calls for the contractor to prepare worldwide, generic underdeveloped and developed country plans, operationally specific plans, and country-specific plans. To correspond with these plans, the contractor is also required to develop and maintain a worldwide database of available equipment, supplies and services. The contractor plans and maintains database support for five broad categories: facilities, supplies, services, maintenance and transportation. Support for actual operations is tailored, based on the concept of the operation and scope of work provided by the supported commander.

Recent LOGCAP operations furnish the following example. The contractor provides a generic capabilities plan for receiving, housing and sustaining 25,000 personnel in eight base camps for 180 days. Under the generic contingency scenario used in the contract, the contractor is required to set up sea and aerial ports of debarkation for deployed personnel. Military personnel are transported to a rear-area support base before being further deployed to forward-area base camps. In this scenario, the contractor is required to begin receiving 1,300 personnel per day within fifteen days from notice to proceed. Thirty days after notification, the contractor is required to support 25,000 personnel in one rear and seven forward base camps for up to 180 days with options to increase the size of the supported force to 50,000 personnel and to extend support to 360 days.

Each base camp provides billeting, dining facilities, food preparation, potable water, sanitation, showers, laundry, transportation, utilities and other logistical support. The contractor is required to maintain the capability of supporting two contingencies concurrently in widely separated geographical areas.

Contractor-provided supplies and services under the LOGCAP contract may include, but are not limited to--

- Supply Operations (all classes of supply except Class X). NOTE: The Umbrella LOGCAP contract is a cost-plus award fee contract, meaning the Government reimburses the contractor for allowable expenses, plus an award fee based on performance. Commanders must consider this award fee, not just up-front costs, before using LOGCAP to provide supplies.
- Field Services
 - ☐ Clothing exchange and bath
 - ☐ Laundry
 - ☐ Clothing Repair
 - ☐ Food Service
 - ☐ Mortuary Affairs
 - ☐ Hazardous Materials/Waste Disposal Services
 - ☐ Billeting
 - ☐ Facilities Management
 - ☐ MWR
 - ☐ Information Management
 - ☐ Personnel Support
 - ☐ Other Operations and Services
 - ☐ Maintenance
 - ☐ Transportation
 - ☐ Medical Services
 - ☐ Engineering and Construction
 - ☐ Signal Support Services

- ⊘ Support of Army Personnel and Equipment Retrograde
- ⊘ Power Generation and Distribution
- ⊘ Standard Army Management Information System (STAMIS) Operations

DCMC generally deploys a team to provide contingency contract administration support, helping the commander manage LOGCAP. AMC PAM 700-30, Logistics Civil Augmentation Program (LOGCAP), provides detailed information on how to initiate and execute support under the US Army LOGCAP Umbrella Contract.

Appendix B

Scope of the Air Force Contract Augmentation Program

The AFCAP represents an initiative to contract for base operating support and temporary construction capabilities to relieve or augment military support forces and resources involved in stability or support operations. The contract expects extensive worldwide support capabilities with minimal response time.

The scope of the AFCAP contract requires that the contractors provide the personnel, equipment, materials, services, travel and all other means necessary to provide a quick response, worldwide planning, and deployment capability. The capabilities under this contract are intended to support Air Force stability and support operations during NCA missions, which would include (but not limited to) joint or combined US military forces acting as part of or in concert with UN, NATO, multinational force, or other entities. These missions may include Air Force required support to natural disaster relief operations within and outside CONUS.

In executing the planning portion of the AFCAP contract, the contractor is required to develop a worldwide management plan based on a generic scenario for a "typical" Air Force deployment involving 10,000 supported personnel at eight locations. The generic scenario planning guidance requires that the contractor be on-site within 30 days of award of the task, and have 75 percent of the required capabilities (including 100 percent of the utilities) in place and operating within 60 days. The minimum deployment time is 180 days, with the possibility of an extended time frame and increases in support population.

The principal effort of the contract is to provide deployment capabilities generally aligned with Air Force functions associated with limited base operating support, specifically the civil engineer and services career fields. A partial list of skills typically required include: carpentry, plumbing, electrical, mechanical (e.g., refrigeration, air conditioning, heat, controls, etc.), heavy equipment, paint, power production, food service, lodging management, recreational services, housekeeping services, laundry plant operation, various utility plant operations (e.g., water, sewage, solid waste disposal, etc.), structural fire protection, emergency management, professional engineering, and project and program management.

Appendix C

Scope of the Emergency Construction Capabilities Program Contract

The CONCAP contract provides the Navy the capability to supplement its permanent organization for rapid response to contingency operations. The CONCAP contract, administered by the Naval Facilities Engineering Command (NAVFAC), is similar to the Army's LOGCAP and the Air Force's AFCAP, but is more narrowly focused on construction and construction-related services.

The scope of the CONCAP contract encompasses support of US military forces acting alone or as part of a multinational force. Representative examples of potential construction tasks from the statement of work include--

- Power plant and power distribution construction.
- Water treatment plant.
- Water well drilling.
- Sewage treatment plant.
- Dredging.
- Airfield construction.
- Pier construction.
- Troop billeting facility.
- Petroleum storage facility.
- Bridge and road construction.

In support of CONCAP, two contracts are awarded. The Atlantic contract covers the US east of the Mississippi River, Canada, South and Central America, the Atlantic Ocean, Europe, Africa, and Southwest Asia. The Pacific contract covers the US west of the Mississippi River, Alaska, Hawaii, the Pacific Ocean, the Indian Ocean, Asia, and Southeast Asia.

Appendix D

Sample Contracting Support Plan

The following is a sample of a contracting support plan for a contingency operation. It offers a general description of the content that may be found in a typical plan. However, actual plans will vary depending on the nature and scope of the operation.

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APPENDIX 9 (CONTRACTING SUPPORT PLAN) TO ANNEX N (LOGISTICS) TO 3D (US) ARMY OPLAN 99-1 (ATLANTIC VICTORY)

REFERENCES

- a. Federal Acquisition Regulation (FAR)
- b. Defense Federal Acquisition Regulation Supplement (DFARS)
- c. Army Federal Acquisition Regulation Supplement (AFARS)
- d. Army Federal Acquisition Regulation Supplement Manual No. 2, *Contingency Contracting*
- e. DOD Inst. 3020.37, *Continuation of Essential DOD Contractor Services During Crises*
- f. Field Manual No. 63-3, *Corps Support Command*, 30 Sep 1993
- g. Field Manual No. 100-7, *Decisive Force: The Army In Theater Operations*, May 1995
- h. Joint Operation Planning and Execution System (JOPES), Vol II, Joint Pub 4-01, *Mobility System, Policies, Procedures*
- i. Joint Operation Planning and Execution System (JOPES), Vol II, Joint Pub 5-03.2, *Planning and Execution Formats and Guidance*
- j. Joint Pub 4-0, *Doctrine for Logistic Support of Joint Operations*
- k. AMC-P 715-8, *AMC Contractor Deployment Guide for Contracting Officers*
- l. Appendix 14 (LOGCAP) to Annex Q (Service Support) to 3rd US Army OPLAN 99-2 (ATLANTIC VICTORY)
- m. 3rd Army Tactical SOP

1. General

- a. Purpose. To set forth a contingency contracting operational concept and support plan to ensure mission essential supplies and services unavailable through normal logistics channels or Host Nation Support will be provided for all US forces under this OPLAN.
- b. Scope. This appendix covers the planning for contracting under a single service support organization for purchasing, renting, leasing, or otherwise obtaining supplies, services and construction from non-federal sources for use by all US forces in the theater of operations.

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c. Control

(1) Procurement and administrative responsibility will be conducted by the 110th Theater Support Command (TSC). The Commander, 3rd Army, will be the Head of Contracting Activity (HCA). He will provide contracting policy, procedures, and contingency contract planning for the theater. In addition to the HCA, the 110th TSC contracting organization will include the Principal Assistant Responsible for Contracting (PARC). The PARC will be dual-hatted as the contracting organization commander. All contracting offices within the contingency area of operation will function under the 110th TSC contracting organization for either direction or guidance. All deploying contracting officers and ordering officers will have their warrants and appointments letters, respectively, issued by the HCA or PARC, within 30 days of arrival to theater, except for the Engineer contracting personnel who by law receive their warrants from the US Army Corps of Engineers. Because it is essential for the efficient operation of the contracting mission, the Chief of a Contracting Office may issue appointment letters to qualified ordering officers only. Ordering officers may purchase items with imprest funds: purchase over-the-counter goods not exceeding \$2,500; and place basic purchase agreements (BPAs) against pre-priced indefinite delivery type supply and service contracts provided the contract terms permit it and all orders are placed within the monetary limitations of the contract terms. Deploying officers will be authorized to perform contracting duties immediately upon entering the theater for a period of 30 days citing authority to do so from their warrants and appointment letters issued to them at their home station. Non-theater HCA's shall not appoint contracting officers for in-theater contracting and shall not authorize the award of contracts for in-theater services without 110th TSC/HCA/PARC approval.

(2) The PARC will immediately deploy contracting Forward Area Support Teams (FASTs) consisting of contracting officers and ordering officers to the contingency site to perform initial purchasing. The PARC will coordinate with the CJTF SJA for legal support to accompany these teams and to support all contracting operations in theater.

(3) Resource management personnel from 3rd Army Finance are responsible for monitoring and administering all contract funding under this OPLAN.

(4) The PARC will have direct access to the 3rd Army Commander in his capacity as the HCA, in order to fulfill the PARC's and HCA's statutory and regulatory responsibilities.

d. 3rd Army Contingency Contracting Organization

(1) The main 3rd Army contingency contracting organization will consist of the: Office of the PARC; Support Section; Contracting Office, which consists of the Simplified Acquisition Section and Contracts Division; and Contract Management Section.

(2) The PARC is located at the contracting activity level with direct access to the HCA. The Office of the PARC will provide oversight to ensure that all purchases subject to the FAR, DFARS, and AFARS are properly executed by contracting officers selected and appointed pursuant to AFARS 1.603.

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(3) The Contracting Office will:

(a) Approve actions requiring approval at a level above the contracting officer and by the Chief of the Contracting Office for the customers this office supports.

(b) Review contractual actions to ensure compliance with statutes and regulations.

(c) Develop and execute a program to ensure maximum competition.

(d) Assure a positive program for audit tracking.

(e) Accomplish internal reviews to assure regulatory and procedural compliance.

(f) Ensure that the contracting function is not overly decentralized by the indiscriminate appointment of ordering officers.

(g) Provide oversight for the operations of the Contracts Division and the Simplified Acquisition Division.

(4) The Support Section will provide support and services required to ensure efficient contract execution and administration. It will:

(a) Administratively support the contracting office to include: computers, telecommunications, transportation, supply, clerical assistance, and office space.

(b) Develop, assemble, and maintain contracting deployment kits tailored for use in the host nation.

(c) Maintain records, process data, and prepare reports of procurement actions as required.

(d) Provide status reports and follow-up data to management.

(e) Operate the Standard Army Automated Contracting System (SAACONS) to funnel contingency contracting data into the Federal Acquisition Computer Network (FACNET). In the event the SAACONS system becomes inoperable or inaccessible, Division personnel will coordinate for and send data to an International Maritime Satellite Organization (INMARSAT) satellite.

(f) Perform cost and price analysis and on-site review of contracting documents. Identify areas for prevention of fraud, waste, abuse, for referral to proper authorities, and provide support for property administration.

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(5) The Simplified Acquisition Section will plan, solicit, execute and administer supplies, services, and construction procurements using simplified purchase procedures. It will:

- (a) Initiate and complete appropriate purchase actions for the acquisition of supplies, services, and construction needs to support all assigned customers.
- (b) Provide data for use in preparing procurement action reports.
- (c) Prepare management reports as required (DD Form 1057).
- (d) Resolve all adverse actions associated with simplified acquisition requirements.
- (e) Close-out completed purchase actions and dispose of purchase files.
- (f) Operate an imprest fund.
- (g) Under the provisions of AFARS Part 13, supervise the use of credit cards for micro and simplified acquisition within the theater.

(6) The Contracts Division will plan, solicit, and execute procurement of supplies, services, and construction material utilizing other than simplified purchase procedures. It will:

- (a) Initiate and complete appropriate contracts for the acquisition of supplies, services, and construction requirements to support all assigned customers.
- (b) Assist customer activities in preparing performance work statements (PWS) and purchase descriptions, and in executing advance acquisition planning to ensure efficient and economical use of allotted time and funds.
- (c) Resolve all adverse actions associated with acquisition requirements.
- (d) Provide data for use in preparing procurement action reports (DD Form 350).
- (e) Prepare management reports as required.
- (f) Plan, select, execute, and administer purchases using non-appropriated funds for morale, recreation, and welfare purposes in accordance with Army Regulation 215-4.

(7) The Contract Management Section will administer and manage all contracts, other than simplified acquisitions, to include service contracts. It will:

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- (a) Administer contracts, awarded by the contracts division, from award to close-out.
- (b) Coordinate for the Defense Logistics Agency (DLA) to perform contract administration services (CAS) on all contracts not within the management capability of the Contract Management Division.
- (c) Coordinate technical and administrative efforts to ensure the government's best interest is served when the customer receives the supplies and services established by the contract.
- (d) Prepare and issue contract modifications, administrative changes, and termination agreements.
- (e) Assist and prepare or issue the contracting officer's decisions, replies to Congressional inquiries, litigation documents, and cure or show cause notices as required.
- (f) Appoint CORs and oversee the quality assurance surveillance and evaluation of contract performance.
- (g) Close-out completed contracts and dispose of contract files.

e. Wartime Host Nation Support (WHNS) Program

(1) The WHNS program is a series of agreements with the host nation addressing the following: transportation, civilian labor, services, rear area protection, contracting, petroleum, oils, lubricants, acquisition of equipment, telecommunications, supplies, health service support, facilities, and language support.

(2) Contingency contracting does not replace WHNS support. Contracting will be used to supplement the standard logistics system using WHNS or near nation contracting to provide the required services or supplies in a timely manner. This includes initial purchase and resupply. 3rd Army (non-WHNS) or near nation contracting support will be the first priority to meet the demand without risk to the timeliness of a requirement. This includes the Logistics Civil Augmentation Program (LOGCAP).

(3) The WHNS program is designed to protect identified contracts between the US Government and host nation contractors that directly support a contingency situation. Protection will ensure manpower and materials are available to perform the terms of the contracts. The 110th TSC Contingency Contracting Organization, in conjunction with WHNS, will coordinate with the host nation to ensure compliance.

2. Assumptions

a. During a contingency, the host nation is expected to nationalize part or all of their industrial base. Local contractor sources will become scarce due to this nationalization

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and anticipated businesses closing. This will limit contracting operations and will create an environment of scarce resources.

b. 3rd Army contingency contracting will continue to operate under regulatory guidance as modified and approved through requested waivers.

c. Because of the urgent/high priority nature of most supplies and services requested, reduced lead-times and expedited delivery requirements can be expected.

d. Limited authority and responsibilities for purchasing can be delegated to an ordering officer.

e. The CJTF will activate a Joint Acquisition Review Board.

f. Existing DOD contracting officers and contracts in the area of operations will be utilized wherever possible.

3. Concept of Acquisition Support

a. The Commander of 3rd Army, as the HCA, provides joint service contingency contract planning and guidance for 3rd Army.

b. Forces Command (FORSCOM) is the designated CONUS DOD contracting activity for 3rd Army support. Procurement requests requiring CONUS-base acquisition will be forwarded from the 110th TSC Contracting Directorate to the designated FORSCOM activity for action.

c. The 110th TSC Contracting Directorate will control all US contingency contracting activities in the theater. All Army agency and service contracting personnel, except those from DLA, USAMC, MTMC, DCAA, GSA, and the USACE, will be attached to the TSC. Once personnel are attached the HCA or PARC will have the authority to place contracting personnel under operational control (OPCON) or DS to their original units.

d. Units or activities requesting support will submit requirements IAW procedures in 3rd Army Tactical SOP.

e. Before accepting requisitions for fulfillment through the contracting process, contracting officers and ordering officers will ensure that the requisitions have been validated by the appropriate J4/G4/S4 (IAW the J4 Annex) and that funds proper for the procurement have been certified as available by the resource managers supporting the requesting unit.

f. Routine and otherwise planned requirements needed locally are likely to be prioritized through the host nation and may require purchase out of country and OCONUS. Primary support will be provided by USAREUR through near economic centers on the European continent. Other economic centers will be identified as necessary.

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g. The contingency contracting organization will coordinate with TRANSCOM through the J-4 for out of country transportation assets, such as Civil Reserve Air Fleet (CRAF), to meet unplanned transportation requirements.

4. Responsibilities

a. 3rd Army Commander will:

- (1) Function as the HCA and theater acquisition executive.
- (2) Provide overall guidance throughout the contingency and act as the approving authority as stipulated by the FAR, DFAR, and AFARS.
- (3) Develop and maintain MOAs with other services to provide contingency contracting support.
- (4) At the start of a contingency, submit all requests for contracting waivers, deviations, and special authorizations.
- (5) Monitor plans originating from Army Staff.
- (6) Appoint a PARC.
- (7) Develop and maintain contingency contracting plans.
- (8) Approve warrants for contracting officers, or delegate this authority to the PARC.

b. The PARC/110th TSC Director of Contracting will:

- (1) Head an organizational element reporting directly to the HCA for policy statutory and regulatory matters.
- (2) Maintain surveillance over contracting performance to ensure adequacy of organizational structure, staffing, and training program of each contracting office.
- (3) Direct all contracting activities assigned or attached to the 3rd Army contingency area and will accomplish missions assigned by the HCA or 110th TSC Commander.
- (4) Notify subordinate commands and deploy FASTs.
- (5) Coordinate with PERSCOM to deploy qualified contracting personnel under contingency conditions from divisions and MACOMs as needed.
- (6) Develop contracting regional offices and ensure contracting personnel are deployed forward. Consistent with the availability and security of the vendor base necessary to provide contracting support, warranted Contracting Officers and Ordering Officers will operate under the following conditions and limitations: Corps Level - unlimited for lead

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Contracting Officer and \$200,000 limit for all other Contracting Officers after contingency is declared. Additionally, lead Contracting Officers at the Corps Level will serve as Chief of Regional Contracting Offices and will have the authority to approve actions at a level above the contracting office and Chief of the Contracting Office for the customers they support; Division Level - \$200,000 limit for lead Contracting Officer and \$50,000 limit for all other Contracting Officers; and Brigade Level and Lower - \$2,500 limit.

(7) Establish policies and procedures for developing, reviewing, and managing the contingency contracting process and administrative plans to control documents, maintain records, and conduct audits of procurement actions for simplified acquisitions (imprest funds, SF 44s, credit cards, etc.) as well as large contracts.

(8) Coordinate inter-command and inter-service agreements detailing contracting support relationships.

(9) Monitor procedures and the appointment of contracting officers and ordering officers.

(10) Coordinate operational plans or requirements originating with Army Staff.

(11) AAE/ASA(ALT) has delegated authority to the PARC to process individual deviations, waivers, and special authorizations per DFARS 250.201-70.

(12) Review HNS, Status of Forces, and Assistance in Kind Agreements or any treaties that may provide billeting, food, water, and ice, transportation, and utilities (to include communications).

(13) Establish policies and procedures for Non-appropriated Fund (NAF) contracting support.

(14) Ensure automation for contracting is on-site for the main organization, as well as, forward offices to facilitate requisition document controls, priority processing, reporting procedures, standard use of specifications for common and repetitive requirements, and as a means of expediting accurate application of clauses and provisions.

(15) Provide input to the 110th TSC for accountability policy of contracted property (leased and purchased).

(16) The PARC will be dual slotted as the PARC and the Theater Contracting Commander.

(17) Per delegation from the HCA, the PARC will nominate an individual from the support section to be the Competition Advocate.

c. The Chief of the Contracting Office will plan, direct, and supervise the purchasing and contracting for supplies, services, and construction for assigned customers.

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d. 110th TSC Contracting Directorate will:

(1) Provide contingency contracting support to all US forces in the theater of operations. Validate and reissue contracting warrants of all contracting personnel deployed to the theater. Deployed personnel existing warrants may be used for a period not to exceed 30 days.

(2) Provide centralized control for all contracting personnel deployed in support of a contingency.

(3) Develop and maintain detailed plans for performing contingency contracting:

(a) Prepare Contingency Contracting Support Plans (CCSP) to identify sources and procedures for support away from the main operational areas.

(b) Prepare a plan for receiving and providing logistical support for augmentees.

(4) Ensure requirements of DODINST No. 3020.37, Continuation of Essential DOD Contractor Services During Crises, are met.

(5) Provide contracting personnel to participate in 3rd Army joint services contingency exercises in coordination with the CFLCC, J-4.

e. 3rd Army Finance Command

(1) Provide finance and accounting support to the 110th TSC Contracting Directorate.

(2) Through deployed subordinate finance elements, provide sufficient assets to make payments and disbursements for all contracting actions executed in the theater of operations.

f. The United States Army Engineer District will:

(1) Comply with the requirements of this OPLAN.

(2) Provide primary construction over \$300,000 and real property contract and lease support.

(3) Coordinate plans with the HCA and PARC.

(4) Provide a Liaison Officer to the 3rd Army Office of the PARC.

g. Organic contracting personnel from Deployed Units, except GSA, DLA, USACE, USAMC's LSE, and MTMC, will:

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(1) Be detached from their parent units and attached to the 110th TSC Contracting Directorate.

(2) Coordinate with the nearest operating location within 30 days to ensure support, obtain in-theater warranted contracting authority, and verify operating location.

(3) Have contracting representatives remain in the theater for a minimum of 90 days after termination of the contingency to close out contracts and procurement actions turning functions over to the main contracting organization at the contracting headquarters, unless released earlier by the PARC. As needed, ordering officers and FAST teams will be maintained to continue contracting requirements. As the main element redeploys, a team of contracting personnel will remain in the area of operations until contracting requirements cease and ongoing procurement activity is closed out.

h. DLA will:

(1) Establish a Deployable Defense Contract Management Area Operations (DDCMAO) in the theater to provide Contingency Contract Administrative Services (CCAS) as required.

(2) Comply with the requirements of this OPLAN.

(3) Perform contract administration services by maintaining cognizance over currently delegated contracts.

(4) Provide supply support and technical and logistics services to all military service.

(5) Provide a Liaison Officer to the 3rd Army Office of the PARC.

i. The US Army Materiel Command (USAMC) Logistics Support Element (LSE) will be responsible for all depot level maintenance, logistics assistance representatives, and contracted advisory and technical assistance support in theater. During the operation, the primary objective of the LSE will be to sustain readiness by operating as far forward as feasible, minimizing the evacuation of critical reparables from the theater of operations. After decisive operations, the LSE may assume a larger role in providing theater support as troop units redeploy to CONUS.

j. Military Traffic Management Command (MTMC) will be:

(1) Responsible for all port operations in the theater.

(2) The USTRANSCOM executive agent in theater for moving and sustaining unit equipment by surface from CONUS into theater for all services.

k. General Services Agency (GSA) will:

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- (1) Be responsible for purchasing telecommunications support and scheduled supplies required in theater.
- (2) Establish a liaison office in theater.
 - l. DCAA will provide auditor support in country.
 - m. Joint Acquisition Review Board will:
 - (1) Coordinate service acquisition activities.
 - (2) Integrate the acquisition flow with the overall theater logistics operation.
- (3) Be chaired by the CJTF J-4 and comprised of representatives from ARFOR, NAVFOR, MARFOR, AFFOR, Civil Affairs, Legal, HNS, CJTF J-4 Rep, CJTF Controller Rep, CJTF Engineering Rep, and Host Nation LNOs.
- (4) The 3rd Army PARC will be an ARFOR representative along with other ARFOR representatives designated by the 3rd Army commander and accepted by the CJTF.

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Appendix E

International Agreements and their Impact on Contracting

OCONUS military operations are often affected by agreements between the US and the host nation(s), and other nations if the US participates as a member of a multinational organization. These international agreements address a wide range of issues such as legal jurisdiction involving crimes committed by US personnel, and the hiring of host nation personnel to support an operation. International agreements can also influence the extent that contracting is used in support of military operations, since agreements determine a contractor's tax status, freedom of movement, immunities and customs requirements. These are all important considerations when deciding whether to contract or employ contractors.

The effect that international agreements might have on contracting support in a particular theater of operations must be considered during any operational planning. Because these agreements vary from nation to nation, it is essential that planners coordinate with their servicing MACOM or theater legal activity to determine if there are any agreements that apply to the operational area, and whether or not they would affect contracting support. Typically, international agreements that impact contracting support do so in terms of directing the use of host nation assistance or support prior to contracting with commercial firms, or restricting the commercial firms that can be contracted with. In some cases, international agreements may prohibit any contracting in a specified country or region.

Appendix F

Army Policy on Contractors on the Battlefield

In December of 1997, the Army published its first policy on the use of contractors on the battlefield. Although the policy as written, applies only to US contractors, its content serves as a guide for commanders who must consider their responsibilities to any contractor who may be providing support in a contingency environment. This appendix provides this policy in its original published form. Additionally, AR 715-XX, Army Contractors on the Battlefield, addresses this policy.



**DEPARTMENT OF THE
ARMY**

WASHINGTON, D.C. 20310

December 12, 1997

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Policy Memorandum – Contractors on the Battlefield

The purpose of this memorandum is to provide a consistent and uniform policy on the use of U.S. contractors to augment the support of U.S. Army operations and/or weapon systems. This policy applies to all U.S. Army elements and Department of the Army contractors. Likewise, it is applicable wherever U.S. Army elements are stationed or deployed during peacetime, war, or Military Operations Other Than War (MOOTW).

Lessons learned from recent military operations, including Operations Joint Endeavor and Desert Storm, indicate contracting and outsourcing may be effective Combat Service Support force multipliers. They can increase existing capabilities, provide new sources of supplies and services, and bridge gaps in the deployed force structure. In the event of emergency or contingency operations, contractor personnel may be required to perform services in a theater of operations. With this increased emphasis on the use of contractors comes the need to identify the doctrine, policies and procedures affecting the use of civilian contractors.

Civilian contractors may be employed in Areas of Operations (AO), as required, to support U.S. Army operations and/or weapon systems. Generally, civilian contractors will be assigned duties at Echelons-Above-Division (EAD). Should the senior military commander determine that their services are required at lower echelons, contractors may be temporarily deployed as far forward as needed, consistent with the terms of the contract and the tactical situation.

Command and control with an AO will be executed by the military Chain-of-Command, which begins with the Theater Commander and extends to the lowest level of command responsible for personnel safety and mission accomplishment. For contractor personnel, command and control is dependent upon the terms and conditions of the contract. The Contracting Officer (KO) or the KO's designated representative(s) is the appointed liaison for monitoring contractor performance requirements and will ensure that contractors move materiel and personnel in accordance with the combatant commander's plan. In the event a contract's scope of work must be changed, the contract must be modified. The KO is the only government official with the authority to modify a contract.

Contractors are required to perform all tasks identified within the Statement of Work (SOW) and all other provisions defined within the contract. Contractors will comply with all applicable U.S. and/or international laws. During a declared war, civilian contractors accompanying the U.S. Army may be subject to the Uniform Code of Military Justice (UCMJ).

When U.S. contractors are deployed from their home stations, in support of Army operations/weapon systems, the Army will provide or make available, on a reimbursable basis, force protection and support services commensurate with those provided to DOD civilian personnel to the

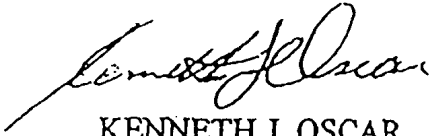
extent authorized by law. These services may include but are not limited to non-routine medical/dental care; mess; quarters; special clothing, equipment, weapons or training mandated by the applicable commander; mail, and emergency notification. Planning must be accomplished to ensure agreed upon support to contractors is available to the responsible commander.

The following must be considered during the negotiating and drafting of any contract that requires the employment/deployment of civilian contractors to support U.S. Army operations/weapon systems:

- Areas of deployment (to include potential hostile areas) and their associated risks.
- Physical/Health limitations that may preclude contractor service in a theater of operations.
- Contractor personnel reporting and accountability systems to include plans to address contractor personnel shortages due to injury, death, illness, or legal action.
- Specific training or qualification(s) that will be required by civilian contractors to perform within a theater of operations, e.g. vehicle licensing, NBC, weapons.
- Reimbursement for government provided services, e.g. medical/dental.
- Interface between government and contractor Management Information Systems (MIS).
- A plan to transition from peacetime operations to operations during conflict, war, and/or MOOTW, and a subsequent plan to transition back to peacetime.
- A plan to transition mission accomplishment back to the government if the situation requires the removal of contractors.
- Preparation for Overseas Movement (POM), Points of Embarkation/Debarcation for U.S. contractors, deployment/re-deployment into/from theater, and deployment of all contractor personnel through the specified CONUS Replacement Center.
- When Status of Forces Agreements (SOFAs) do exist, they may not specifically address the status of contractor personnel. Contractor personnel status will depend on the nature of the specific contingency operations and those applicable SOFA provisions.

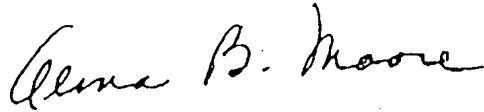
Contractor employees accompanying U.S. Armed Forces may be subject to hostile action. If, captured, a contractor's status will depend upon the type of conflict, applicability of any relevant international agreements, and the nature of the hostile force. The full protections granted to Prisoners of War (POWs) under the Geneva (1949) and Hague (1907) Conventions apply only during international armed conflicts between signatories to those conventions. Accordingly, these conventions are generally non-applicable during MOOTW. Therefore, contractor employee protection during MOOTW will depend on the specific circumstances of an operation. When the United States is a participant in an international armed conflict, contractors are entitled to be protected as POWs if captured by a force that is a Geneva/Hague Convention signatory. To ensure proper treatment, contractors will be provided with a Geneva Conventions (DD Form 489) or similar Identification Card.

U.S. contractor employees deployed to a theater of operations to perform public work under a contract (or subcontract) with the United States may qualify, if injured or killed while deployed, for Workers' Compensation under the Defense Base Act depending on the specific circumstances of incapacitation and the precise nature of the work being performed.



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Glossary

ACOE	Army Corps of Engineers
ACSA	acquisition and cross-servicing agreements
ADPE	automated data processing equipment
AFARS	Army FAR Supplement
AFCAP	Air Force Contract Augmentation Program
AFFOR	Air Force forces
AO	area of operations
APOD	aerial port of debarkation
ARB	acquisition review board
ARFOR	Army forces
ASA(ALT)	Assistant Secretary of the Army for Acquisition, Logistics and Technology
ASCC	Army Service Component Commander
ASG	area support group
BPA	blanket purchase agreements
C2	command and control
CAP	Crisis Action Planning
CCO	contingency contracting officer
CENTCOM	Central Command
CHS	combat health support
CINC	Commander-in-Chief
CJCS	Chairman, Joint Chiefs of Staff
CJTF	Commander, Joint Task Force
CLPSB	CINC's logistics procurement support board
CMMC	corps materiel management center
COCOM	combatant command
COMMZ	communications zone
CONCAP	Construction Capabilities Program
CONUS	continental United States
COR	contracting officer's representative
COSCOM	corps support command
CRAF	Civil Reserve Air Fleet
CREST	Contingency Real Estate Support Team
CS	combat support
CSG	corps support group
CSS	combat service support
CZ	combat zone
DA	Department of the Army
DCMC	Defense Contract Management Command
DCMCI	Defense Contract Management Command - International
DCO	Defense Cooperation Officer
DFARS	Defense FAR Acquisition Supplement
DISCOM	division support command

DLA	Defense Logistics Agency
DMMC	division materiel management center
DOC	Directorate of Contracting
DOD	Department of Defense
DS	direct support
EAC	echelons above corps
EEM	early entry module
ENCOM	Engineer Command
ERC	exercise related construction
FACNET	Federal Acquisition Computer Network
FAR	Federal Acquisition Regulation
FAST	forward area support team
FEMA	Federal Emergency Management Agency
FINCOM	Finance command
FM	Field Manual
GCPC	Government-wide Commercial Purchase Card
GCSS-A	Global Combat Support System-Army
HCA	Head of Contracting Activity
HHC	headquarters and headquarters company
HN	host nation
HNS	host nation support
INMARSAT	International Maritime Satellite
JCS	Joint Chiefs of Staff
JFC	Joint Force Commander
JOPES	Joint Operation Planning and Execution System
JSCP	joint strategic capability plan
JTF	joint task force
LOC	line of communication
LOGCAP	Logistics Civil Augmentation Program
LPT	logistics preparation of the theater
LSE	logistics support element
MACOM	major Army command
MARFOR	Marine forces
MDMP	Military decision-making process
METT-TC	mission, enemy, terrain, troops, time available, and civilian considerations
MMC	materiel management center
MSA	Mutual support agreements
MSC	major subordinate command
MTMC	Military Traffic Management Command
MTW	major theater war
MWR	morale, welfare, recreation
NATO	North Atlantic Treaty Organization
NAVFAC	Naval Facilities Engineering Command
NAVFOR	Navy forces
NCA	National Command Authorities
NCO	noncommissioned officer
NGO	nongovernmental organizations
NTP	notice to proceed
OCONUS	outside continental United States

OMA	Operations and Maintenance, Army
OPA	Other Procurement, Army
OPLAN	operation plan
OPORD	operation order
PARC	Principal Assistant Responsible for Contracting
PBO	property book officer
PCO	procuring contracting officer
PEO	program executive officer
PM	program manager
POC	point of contact
PVO	private volunteer organizations
PWS	performance work statement
RMO	resource management officer
RSO&I	reception, staging, onward movement and integration
SARRS-O	Standard Army Retail Supply System-Objective
SAT	simplified acquisition threshold
SECDEF	Secretary of Defense
SOUTHCOM	Southern Command
SPOD	seaport of debarkation
SPS	Standard Procurement System
SSC	small-scale contingencies
STAMIS	Standard Army Management Information Systems
TFOP	theater force opening package
TOE	Table of Organization and Equipment
TPFDD	time-phased force and deployment data
TSC	theater support command
US	United States
USACE	US Army Corps of Engineers
USAMC	US Army Materiel Command
USTRANSCOM	US Transportation Command

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